

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28292 of 2025**

Arising Out of PS. Case No.-447 Year-2018 Thana- BASANTPUR District- Siwan

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Azaj Alam @ Md. Azaj S/O Mahbub Alam Village- Chhoti Lakadi Lahera
Tola, P.S.- Basantpur Lakadi, Nabiganj O.P., District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rukshana Khatoon D/O- Noor Mohammad resident of village- Chhoti
Lakadi, Lohara tola ps- Basantpur dist- Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Md. Shamimul Hoda, Adv.
For the Opposite Party/s :	Mr.Jagdhari Prasad, APP
	Mr. Javed Aslam, Adv.for OP-2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 31-10-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for opposite party no. 2.

2. The petitioner seeks bail in a case registered for
offence under Sections 341, 323, 376, 366(A), 120(B) of the
Indian Penal Code and Sections 5, 6 & 7 of the POCSO Act.

3. The informant, namely Rukhsana Khatoon, alleged
that on 14.05.2018 (night), this petitioner forcibly entered her
house and committed rape upon her.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case due to refusal
of performing Nikah by the petitioner with the victim. As a
matter of fact, father of petitioner has filed a case, vide
Basantpur P.S. Case No. 164 of 2019, which is earlier in point of
time against the family members of informant for the offence



under Sections 341, 323, 504, 34 of the Indian Penal Code and thereafter, in retaliation, this false and concocted case has been lodged. Petitioner has got clean antecedent and is in custody since 11.12.2024.

5. Learned A.P.P. for the State and learned counsel for the informant/opposite party no. 2 opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO, Siwan in connection with Basantpur P.S. Case No. 447 of 2018, corresponding to G.R. No. 7386 of 2018

(Prabhat Kumar Singh, J)

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