

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31660 of 2025

Arising Out of PS. Case No.-9 Year-2024 Thana- DHAKA District- East Champaran

Md. Rizwan Alam @ Md. Rizwan S/o Abdul Khaliq R/o Village-
Sorpaniya, P.S.- Dhaka (Pachpakri O.P.), District- East Champaran (Bihar)
... .. Petitioner/s

Versus

1. The State of Bihar
2. Heena Khatoon D/o Md. Sarfullaha R/o Village- Sorpaniya, Ward No. 04,
P.S.- Dhaka (Pachpakri O.P.), District- East Champaran (Bihar)
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Tiwari, Adv.
For the Informant	:	Mr. Ashok Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 21-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Dhaka
P.S. Case No. 09 of 2024, instituted for the offences under
Sections 341, 376(D), 504, 506, 120B/34 of the I.P.C. and
Sections 4, 6 of the POCSO Act. He has no criminal antecedent.

3. The prosecution case is to the effect that the
informant has alleged that the petitioner used to frequently come
to the house of the informant and has promised to marry her. It
has been alleged that without her consent he had made physical
relationship with the informant and subsequently he starting
ignoring and talking to her. It is alleged that despite panchayati
being done, matter could not be resolved, hence the F.I.R. was



lodged.

4. It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and the said fact is sustained from the fact that the petitioner has solemnized marriage with the informant. A child is also born out of the said wedlock. Learned counsel further submits that the petitioner has clean antecedent and he is in custody since 27.07.2024.

5. Mr. Akash Kumar Mishra, learned counsel appearing on behalf of the informant has admitted the factum of marriage, which was solemnized on 20.04.2024 and does not dispute the aforesaid submission made on behalf of the learned counsel for the petitioner.

6. Considering the aforesaid submissions made by the parties and taking into account the compromise between the parties and subsequent marriage taking place between the petitioner and the informant, let the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Rape & POCSO Cases)-cum- Additional District and Sessions Judge, East Champaran, Motihari in connection with



Dhaka P.S. Case No. 09 of 2024, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court be-low shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same or in the name of verification.

(Sourendra Pandey, J)

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