

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32782 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- MAHILA P.S. District- Kishanganj

Rehan @ Rehan Alam S/O Badruddin Alam R/O Village- Bhoplah, PS-
Bahadurganj, Distt- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate
Mr. Pankaj Kr. Sinha, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Sessions Trial No.34 of 2025 arising out of Kishanganj Mahila
P.S. Case No.63 of 2024 registered for the offences punishable
under Sections 376, 341, 323, 34 of the Indian Penal Code.
Petitioner has no criminal antecedent.

3. As per the prosecution case, the informant has
alleged that the petitioner, namely, Rehan Alam used to
frequently visit her house and on 18.01.2023, he committed rape
upon her and thereafter, he promised to marry the informant,
however, he continued to commit rape and did not marry her
despite *panchayati* being held between the families.

4. The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this



case as the petitioner and the informant were in a love relationship which has been given a colour of rape. The learned counsel has also stated that apparently from the FIR it would be evident that the first occurrence was stated to have been committed on 18.01.2023, however, no report was made by the informant or her family member before the police and it has further been alleged that there were four occasions when the informant is said to have been raped by the petitioner, however, the said incident was also not reported to any person which goes on to show that the informant was into a relationship with the petitioner out of her consent. The learned counsel further submitted that FIR was lodged after eighteen months delay of the first alleged occurrence. Lastly, it has been submitted that the petitioner has clean antecedent and he is in judicial custody since 13.01.2025.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the petitioner is alleged to have committed rape upon the informant on several occasions on the promise of marriage.

6. Considering the aforesaid submissions made by the respective parties and taking into account the nature of allegations levelled against the petitioner of committing rape



over a period with no opposition and lodging of FIR after denial of marriage, let the petitioner, above named, 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 the court of learned Additional Sessions Judge-Ist -cum-Special Judge, Kishanganj in connection with Sessions Trial No.34 of 2025 arising out of Kishanganj Mahila P.S. Case No.63 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

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

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bonds.

(v) The learned 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 below shall take step for cancellation of bail bonds of the



petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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