

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37716 of 2025

Arising Out of PS. Case No.-717 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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Firoj alam S/O Khairati Ansari R/O Vilage- Inarwa, P.S- Inarwa, Distt.- West
Champaran. Petitioner/s

Versus

1. The State of Bihar
2. Muskan Praween W/O Md. Akbar R/O Dwardevi Chowk, Budhiya Masjid,
Ward No. 15, P.S- Bettiah Town, Distt.- West Champaran.
... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Mayank Mohan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 29-08-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Bettiah City P.S. Case No. 717 of 2023, S. Tr. No. 499 of 2024 for the offence punishable under sections 376, 420, 406, 341, 323, 504 of the IPC lodged on 22.09.2023 by the informant, Muskan Praveen.

3. As per the prosecution story, the informant claimed that she was working in a cosmetics store at Bettiah where the petitioner developed friendship and started establishing physical relationship but avoided marriage. She was also forced to work in the Orchestra but the money was being kept by the petitioner. The allegation of assault, Panchayati and abortion is/are also there against the petitioner. This led to the FIR.

4. In this case, earlier, case diary, criminal antecedent



report and stage report was called for from the Trial Court which are on record according to which the trial is on.

5. Learned counsel for the petitioner submits that he has already suffered by being in custody since 23.01.2024. Though, he concede that the petitioner has criminal antecedent, it was a consensual relationship but since, he chose not to marry the lady, the case has been lodged. An undertaking has been given that he shall be diligently appearing the trial and in case, he fails to do so, steps can be taken for the cancellation of his bail bond.

6. Learned APP opposes the prayer for bail and submits that promising marriage, the relationship was made and this also led to abortion.

7. Though allegation is there, taking into account the aforesaid submissions/facts as also the period of custody and undertaking he has given that he shall be diligently appearing in the trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Rape and POCSO Act, West Champaran at Bettiah in connection with Bettiah City P.S. Case No. 717 of 2023 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and at the end, the certificate be submitted before the Trial Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bond;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bond.

(Rajiv Roy, J)

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