

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45929 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- ALINAGAR District- Darbhanga

Shamsad Ali S/o Md. Samsul @ Md. Samsul Haque R/o - Sahjauli, P.S -
Alinagar, District - Darbhanga, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 15-09-2025 Heard Mr. Vinay Kumar Mishra, learned counsel for the
petitioner and Dr. Kumar Uday Pratap, learned APP for the State.

2. The petitioner has prayed for bail in connection with
Alinagar P.S. Case No.53 of 2025, registered for the offences
punishable under Sections 69 and 3(5) of the B.N.S.

3. The case of the prosecution is that this petitioner was
on talking terms with the informant. It is further alleged that he
took her to Benipur court where her signature was taken on a plain
paper. It is further alleged that after that the petitioner along with
others took her to the house of the petitioner where she was being
raped by the petitioner.

4. Learned counsel for the petitioner has submitted that
during course of investigation, the victim has given her statement
under Section 183 of the B.N.S.S. wherein she has stated that she



was on talking terms with the petitioner. The petitioner was a painter at Mumbai. The petitioner took her to Ghaziabad. She went there with her own will and from there she went to Mumbai and after that they solemnized marriage. It is further submitted that from perusal of the order of the learned trial court, it transpires that the parties have compromised the case and one more case is also pending against the petitioner in which he is on bail.

5. Learned APP for the State vehemently opposed the bail application.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Benipur, Darbhanga in connection with Alinagar P.S. Case No.53 of 2025.

(Ashok Kumar Pandey, J)

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