

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53434 of 2025

Arising Out of PS. Case No.-47 Year-2024 Thana- MAHILA PS District- Gaya

Md. Kaif @ Md. Kaif Alam S/o Md. Intaf @ Md. Intaf Alam R/o Village -
Konch, P.O - Konch, P.S - Konch, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ramakant Singh, Advocate Mr. Vijay Kumar Vimal, Advocate
For the State	:	Mr.Yogendra Kumar, APP
For the Informant	:	Mr. Sanjeev Kumar, Advocate Mr. Ritesh Kumar Narain Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Mahila
Thana P.S. Case No. 47 of 2024 dated 26.10.2024 registered for
the offence punishable under Sections 126(2), 115(2), 64, 352
and 3(5) of BNS.

3. The prosecution story in brief is that, the inforamnt
Nusrat Praween and the petitioner had been friends for one year.
On 25.08.2024, it is alleged that the petitioner called her to his
house and forcefully blackmailed her and made physical
relationship with her. Further near the Konch Middle School
made physical relationship with her and told her not convey this



to anyone and that the petitioner assured to marry her. In this way, it is alleged that the petitioner made obscene photo of her and always threatened to use the photo and said that if the informant did not agree with her then the petitioner would make the photo viral. He also made physical relationship with her in Bodhgaya Hotel many times and now the petitioner is refusing to marry the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that he has one criminal antecedent namely Civil Lines P.S. Case No.592 of 2024 under Sections 126(2), 115(2), 352, 351(2), 351(3), 3(5) of BNS and in this case the petitioner states that he is already on bail.

5. Learned counsel for the petitioner further submits that that petitioner has suo motu surrendered before the learned Trial court on 16.04.2025 and since then he is in custody. He further submits that the informant is a major girl and from the perusal of the FIR itself it shall transpire that the informant was having good relationship with the petitioner and upon failure to marry her she has lodged this present case to pressurize the petitioner. Learned counsel for the petitioner further submits that he is ready to furnish the bail bond of any reasonable



amount to the satisfaction of this Court.

6. On the other hand, learned APP appearing for the State as well as learned counsel for the informant opposes the prayer for regular bail of the petitioner.

7. It is not in dispute that the informant is a major girl. It is also not in dispute that the informant as well as the petitioner were in relationship for past one year and having sexual relationship. Prima facie it appears that since the petitioner is not agreeable to marry the informant, therefore, he has been implicated in this case. The petitioner has only one criminal antecedent, in which he is already on bail.

8. Considering all these aspects of the matter, also considering the fact that more than 60 days have lapsed and charge sheet must have been filed in this case, no purpose would be served in prolonging the custody of the petitioner. For all these reasons, the Court is inclined to grant the privilege of bail to the petitioner, 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 court below where the case is pending/successor court in connection with Mahila Thana P.S. Case No. 47 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 without substantial reason or in violation of the terms of the bail, the bail bond 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 bond.

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

9. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

Prakash Narayan

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