

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64642 of 2025

Arising Out of PS. Case No.-317 Year-2024 Thana- BAJPATTI District- Sitamarhi

Md. Abdullah, S/o Lal Babu. Resident of Village-Alam Nagar, P.S.-Bajpatti,
District- Sitamarhi

... .. Petitioner

Versus

1. The State of Bihar
2. Nuzhat Praveen, W/o Sarfe Alam, R/o village - Alam Nagar, P.S.-Bajpatti,
Distt.- Sitamarhi

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Mrityunjay Kumar Mishra, Advocate
		Mr. Abneesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary, Advocate
For the Informant	:	Mr. Nafisuzzoha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 07-11-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel appearing for the informant.

2. The accused/petitioner is named in the FIR and

apprehending his arrest in connection with Bajpatti P.S. Case

No.317 of 2024 registered under Sections 376, 506 and 354-

B of the Indian Penal Code as well as Section 67 of the

Information and Technology Act.

3. the present FIR is founded upon Complaint Case

No.184 of 2024 preferred before the learned S.D.J.M., Pupri,

Sitamarhi, wherein it is alleged that the petitioner, who is



friend of the husband of the complainant committed rape upon her in *absentia*. The complainant is 26 years old and mother of three children.

4. It is submitted by learned counsel appearing for the petitioner that admittedly this petitioner is the very close family friend of the complainant, who helped complainant in absence of her husband while he was in Saudi Arabia in his professional capacity. It is submitted that in absence of her husband, the petitioner helped complainant monetarily on several occasions, which is apparent from **Annexure-2**, which is the bank transaction between petitioner and complainant and after arrival of her husband, when demand of said money was raised by this petitioner from complainant, the present false case was raised. It is pointed out that even in complaint no specific date of occurrence appears available, which further makes the complaint false on its face. The petitioner claimed clean antecedent.

5. Learned APP duly assisted by Mr. Nafisuzzoha, learned counsel appearing for the informant while opposing the prayer of bail submitted that the thrust of allegation is



available against petitioner as to commit rape upon complainant.

6. In view of aforesaid factual submissions and by taking note of the nature of overall accusation, which appears *prima facie* raised in the background of monetary dispute, accordingly, the petitioner, above-named, who is a man of clean antecedent, in the event of his arrest or surrender in the court below within a period of four weeks from today, 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 Chief Judicial Magistrate, Sitamarhi in connection with Bajpatti P.S. Case No.317 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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