

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65891 of 2025

Arising Out of PS. Case No.-162 Year-2025 Thana- KATRA District- Muzaffarpur

Md. Sameer, Male, aged about 23 years, Son of Mohammad Kamruddin @ Kamruddin, resident of Village - Rajadih, Police Station - Katra, District – Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nusrat Pravin @ Nusrat Khatoon, Daughter of Md. Irail @ Israil Nadaf, Resident of Village - Rajadih, P.S. - Katra, District – Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 26-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Katra
P.S. Case No. 162 of 2025 instituted for the offences punishable
under Section 69 of the BNS, 2023.

3. As per the prosecution case, the accused petitioner
Md. Sameer called the informant by making promise to marry
her and thereafter, established physical relationship with her.
When the informant told him to marry her, the accused
petitioner refused to marry. The informant concluded by stating
that accused petitioner had been establishing physical
relationship with her since last six years by making promise to



marry her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that both parties are co-villagers and they were involved in long consenting relationship. He further submits that tarnish the image of accused petitioner and to extort money this false case has been lodged. He next submits that no immoral act has been committed by this petitioner against the informant. Petitioner is in custody since 23.06.2025.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary, medical report, statement of the victim recorded under Section 183 of the BNSS and impugned order of the learned Additional Sessions Judge-XVI, Muzaffarpur dated 12.08.2025, it appears that petitioner is named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant, FIR has been registered under Section 69 of the BNS and the allegation is that the accused petitioner Md. Sameer called the informant by making promise to marry her and thereafter, established physical relationship with her. When the informant told him to marry her, the accused petitioner refused to marry. The



informant concluded by stating that accused petitioner had been establishing physical relationship with her since last six years by making promise to marry her. It is further stated that since six years regularly the petitioner raped the victim. From perusal of the case diary, it appears that the victim is a minor and she has not any protest since six years, so considering all these aspects of the case and submissions of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st, Class (East) Muzaffarpur in connection with Katra P.S. Case No. 162 of 2025.

(Ramesh Chand Malviya, J)

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