

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74726 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- THAKURGANJ District- Kishanganj

Abid @ Abid Alam @ Md Abid, S/o Kamrul Hoda, Resident of Village-
Jirangachh, Ward No. 10, P.S.- Thakurganj, District- Kishanganj

... .. Petitioner

Versus

1. The State of Bihar
2. XXXX, W/o Late Tamijuddin, Resident of Village-Jirajgachh, Ward No. 10,
P.S.- Thakurganj, District- Kishanganj

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

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

2.The accused/petitioner seeks bail in
connection with POCSO Case No.20 of 2025 arising
out of Thakurganj P.S. Case No.53 of 2025
registered for the offences punishable under
Sections 64, 65(1), 126(2), 115(2), 74, 76, 351(2)
read with 3(5) of the Bhartiya Nyaya Sanhita, 2023
(for short 'B.N.S.') and Section 4 of the Protection
of Children from Sexual Offences Act (in short
'POCSO Act').

3.The accused/petitioner is named in the



FIR and is in custody since 24.03.2025.

4. As per FIR, the petitioner committed rape upon informant aged about 16 years, who was in relationship with petitioner since last two years prior to lodging of this FIR.

5. It is submitted by learned counsel appearing for the petitioner that admittedly the informant was in relationship with petitioner and he was also willing to marry informant and when for marriage, they were proceeded along with their common friends, the informant assaulted by family members of this petitioner without his knowledge subsequent upon, the present false implication was raised. It is submitted that the petitioner was implicated due to act of his family members. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover petitioner is a man of clean antecedent.

6. Learned APP while opposing the prayer



of bail could not disputed the aforesaid factual submissions as submitted aforesaid.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* the present case was lodged for the reason that marriage of petitioner with informant was objected by family members, where the petitioner appears ready to solemnize marriage with informant, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 24.03.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (POCSO), Kishanganj in connection with POCSO Case No.20 of 2025 arising out of Thakurganj P.S. Case No.53 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').



(Chandra Shekhar Jha, J.)

Sanjeet/-

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