

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78092 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- NATIONAL HIGHWAY District-
Samastipur

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Ahmadrja @ Ahmad Raza @ Tanveer Son of Md. Abul Kaish @ Md. Abul
Kaish Resident of Village - Rahimawaad, P.S. - Bangra, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juhi Praveen Resident of Village - Rahimawaad, P.S. - Bangra, District -
Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate
For the Informant	:	Mr. Brajesh Kumar Pandey, Advocate
For the State	:	Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 28-04-2025 Heard Mr. Brajesh Sahay, learned counsel for the

petitioner, Mr. Brajesh Kumar Pandey, learned counsel for the

Informant and Mr. Anil Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest in

connection with National Highway Bangra P.S. Case No. 91 of

2024, F.I.R. dated 30.06.2024 registered for the offences

punishable under Section 376 of the Indian Penal Code.

3. Allegation against the petitioner is that he has

committed rape on the false assurance with the informant on the

name of marriage.

4. Learned counsel for the petitioner submits that the

petitioner carries one more case other than the present one in



which he is on bail and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. In fact, the petitioner was in love with the victim girl and they have performed the marriage on 05.01.2025.

5. Learned counsel for the Informant has filed an affidavit personally sworn by the Informant/victim stating therein that she has performed the marriage with the petitioner on 05.01.2025 and she is living with the petitioner as a husband and wife and she has already filed a compromise petition before the learned Court below on 07.03.2025.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned Judicial Magistrate 1st Class, Samastipur in connection with National Highway Bangra P.S. Case No. 91 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) One of the bailors should be the victim namely, Juhi



Praveen.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(3) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(4) And, further condition that the 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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