

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87825 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- FALKA District- Katihar

Md. Jayauddin @ Md. Ziyauddin Son of Md. Sabahuddin Resident of Village-
Salehpur, Maheshpur Pothia, P.S. -Falka District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nusrat Parween Daughter of Md. Shamim Resident of Village- Salehpur
Ward no. 6, PS -Falka District- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Bishwambhar, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 21-03-2025 Heard learned counsel for the petitioner and Ms.

Nirmala Kumari, learned APP for the State and learned counsel

for the Informant.

2. The petitioner has prayed for regular bail in a

case registered for the offence punishable under Sections

126(2), 115(2), 69, 352, 351(2), 3 & 3(5) of the Bharatiya

Nyaya Sanhita, 2023.

3. The case of the prosecution is that the petitioner

has established physical relation with the informant on the

promise of marriage. It is further stated that the petitioner

denied marriage with the informant.

4. Learned counsel for the petitioner has submitted

that from perusal of the medical report it transpires that the



Doctor has not found any mark of injury on the person of the informant. Learned counsel for the petitioner has also submitted that good sense has prevailed between the parties and they have compromised the case. The main allegation is that the petitioner has established physical relation on promise of marriage which does not come under the purview of rape. The petitioner is in custody since 08.08.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail. Learned counsel for the informant is also present and he has stated that parties have compromised.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Falka P.S. Case No. 144 of 2024 (G.R. No.4207/2024) on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.F.C. 1st, Katihar.

(Ashok Kumar Pandey, J)

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