

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88794 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- MAHILA P.S. District- Bhagalpur

Jaffre Alam @ Md Jaffre Alam Son of Late Md. Ali Resident of Muhalla-
Narga Bazar, Din Mohammadpur Lane, P.S.- Nathnagar, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Mariya D/o- Navi Hasan, Wife of Fakkre Alam @ Fakhre Alam
Resident of Muhalla- Narga Bazar, Din Mohammadpur Lane, P.S.-
Nathnagar, District- Bhagalpur (Infromant)

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 835 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- MAHILA P.S. District- Bhagalpur

Fakre Alam @ Md. Fakre Alam @ Fakhre Alam @ Md. Fakhre Alam Son of
Late Md. Ali Resident of Muhalla - Narga Bazar, Din Mohammadpur Lane,
P.S.- Nathnagar, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Mariya Daughter of Navi Hasan, Wife of Fakre Alam @ Fakhre Alam
Resident of Mohalla - Narga Bazar, P.S. - Nathnagar, District - Bhagalpur
(Informant)

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 88794 of 2024)

For the Petitioner/s : Mr.Diwakar Upadhyaya

For the Opposite Party/s : Mr.Ram Naresh Ray

(In CRIMINAL MISCELLANEOUS No. 835 of 2025)

For the Petitioner/s : Mr.Diwakar Upadhyaya

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 05-03-2025 Both the cases have arisen from same P.S. So, they are
heard together.



2. Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

3. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in a case instituted for the offence punishable under Sections 126(2), 115(2), 82(1), 303(2), 74, 75, 76 of B.N.S. and Section 8 of POCSO Act.

4. As per allegation in the F.I.R., petitioner, namely, Fakre Alam used to tease the informant, who is 16 years old and use to do household chores in the house of petitioner Fakre Alam. It is further submitted that he solemnized marriage with her, before the notary and on that pretext he ravished her. When the informant went to his house along with her mother, both the petitioners abused her and petitioner Jafre Alam dragged her by holding her hair and ousted her.

5. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent



and have committed no offence. Both the petitioners are own brothers. It is further submitted that the case has amicably been settled between the parties and in support thereof an affidavit has been filed on behalf of the informant.

6. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer of bail.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Mahila (Bhagalpur) P.S. Case no. 71 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge VI-cum-Exclusive Special



Judge, POCSO, Bhagalpur, subject to the conditions as
laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

nirajkrs/-

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