

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3746 of 2026

Arising Out of PS. Case No.-255 Year-2025 Thana- AMDABAD District- Katihar

Shekh Saddam Son of Shekh Samsul Resident of Village - Kewala Milik,
P.S.- Amdabad, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Musowir, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-01-2026 Heard Mr. Md. Musowir, learned counsel for the
petitioner and Mr. Kumar Veerendra Narayan, learned APP for
the State.

2. The petitioner seeks bail, who is in custody since
24.10.2025 in connection with Amdabad P.S. Case No. 255 of
2025, F.I.R. dated 23.10.2025 for the offences punishable under
Sections 64(1), 332(b), 352, 351(2), 351(3), 3(5) of the BNS,
2023.

3. According to prosecution case, petitioner is alleged
to have committed rape with the victim and also tried to assault
the husband of the victim with *hasua*.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. Learned counsel further submits
that the allegation as alleged in the FIR is false and fabricated



and the petitioner has not committed any offence as alleged in the FIR. Learned counsel further submits that the informant is own sister-in-law of the petitioner and due to some admitted land dispute, the petitioner has falsely been implicated in the present case. It appears from the FIR that the date of occurrence is 14.10.2025 but the present case has been instituted on 23.10.2025 after delay of about nine days afterthought only to falsely implicate the petitioner. Learned counsel further submits that both the parties have filed their compromise petition before learned court below and the Police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 24.10.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and also the fact that the petitioner has clean antecedent and due to admitted land dispute the present occurrence has taken place and the parties have filed compromise petition before learned court below, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st



Class, Katihar, District- Katihar in connection with Amdabad
P.S. Case No. 255 of 2025, with the following conditions:

i. 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 her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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)

Ranjeet/-

U		T	
---	--	---	--

