

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6376 of 2026

Arising Out of PS. Case No.-54 Year-2025 Thana- MAHILA PS District- East Champaran

Najis Alam Son of Ainul Haque @ Shekh Ainul Resident of Village -
Laxmipur Madhumalti, Police Station - Sugauli, District - East Champaran at
Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar
2. xxxx yyyy Resident of Village - Pokhara Sheikh Toli, Police Station -
Kotwa, District - East Champaran at Motihari

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shashank Shekhar, Advocate
For the Opposite Party/s :	Mr. Md. Ataur Rahman, APP
	Mr. Nafisuzzoha, Advocate
	Mr. Nasar Iqbal, Advocate
	Mr. Mirza Ahraz, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 20-07-2026 Heard learned counsel for the petitioner, learned

counsel for the informant and learned APP for the State. Perused

the case diary.

2. The petitioner seeks bail in connection with Mahila

P.S. Case No. 54 of 2025 instituted for the offences under

Sections 69, 351(2), 79, 3(5) of the Bharatiya Nyaya Sanhita,

Section 4/6 of the POCSO Act and Sections 67A, 67B of the I.T.

Act.

3. Prosecution case, in short, is that the petitioner

induced the informant on a false promise of marriage,

repeatedly established physical relations with her by force and



intimidation, and thereafter blackmailed her, leading to the institution of the present FIR.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. He further submitted that petitioner never established physical relationship with the victim against her will nor promised her for marriage. Learned counsel for the petitioner submits that the said relationship was a consensual relationship between the parties. He has further placed reliance on cases of the Hon'ble Supreme Court reported in ***2018 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharashtra & Ors)*** and ***(2019) 9 SCC 608 (Pramod Suryabhan Pawar vs. The State of Maharashtra and Ors.)***. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.06.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahila P.S. Case No. 54 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or a close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or threaten the informant or any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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