

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6576 of 2026

Arising Out of PS. Case No.-1270 Year-2025 Thana- DANAPUR District- Patna

Masoom Ali Sarwar Son of Gulam Sarwar Resident of village- Ward no. 12,
Shaguna, ps- Danapur, Dist- patna

... .. Petitioner

Versus

1. The State of Bihar
2. Naaz Parween @ Naaj Parween Daughter of Mohammad Afaque Resident
of village- Sultanpur, Ps- Danapur, Dist- Patna

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Ms. Saobiya Mushtaque, Advocate
	:	Mr. Saba Ashfaq, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, A.P.P.
For the Informant	:	Ms. Tooba Hera, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
14.12.2025 in connection with Danapur P.S. Case No. 1270 of
2025 for the offences punishable under Sections 64, 126(2),
351(2), 351(3) and 79 of BNS.

3. That the prosecution case, in brief, is that petitioner
and informant were friends, taking advantage of this friendship,
the petitioner started exerting pressure upon her to meet him,
despite her refusal, he finally persuaded her to meet for movie or
walk. It is next alleged that the petitioner on 20.07.2023 at about



1 PM, took the informant deceitfully to a hotel, and forcibly committed rape against her will, when she resisted, petitioner threatened to tear her clothes and humiliated her in oral verbal way. Further, using the incident as base he coerced her to meet on various days. After sometime, the petitioner sent marriage proposal to the house of the opposite party/informant, which she refused, and the petitioner threatened to convey the all the incident to her family to induce her to marry. It is alleged that the petitioner posted a story over the social media, and intended for disclosing about their relationship to public.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. Learned counsel for the petitioner further submits that although there is specific allegation that the petitioner has committed sexual assault against the victim but from bare perusal of the case diary it appears from paragraph-17 of the case diary that she has refused for medical examination and police after investigation submitted charge-sheet and the



petitioner is in custody since 14.12.2025.

5. The learned Additional Public Prosecutor for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant, on the other hand, submits that now the matter has been compromised between the parties and the petitioner is ready to perform marriage with the victim.

6. Considering the aforesaid facts and circumstances and the fact that petitioner is a person with clean antecedent, 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 A.C.J.M.-1st, Danapur in connection with Danapur P.S. Case No. 1270 of 2025, subject to 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled 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)

Gaurav Sinha/-

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