

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15144 of 2026

Arising Out of PS. Case No.-438 Year-2025 Thana- AAJAM NAGAR District- Katihar

Hasbul Alam Son of Md. Jabir Alam @ Md. Jabir Resident of village- Siktiya
Bairiya, Ps- Azamngar, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Nematullah, Advocate
For the State : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-03-2026 Heard Mr. Md Nematullah, learned counsel for the
petitioner and Mr. Parmanand Prasad, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
22.11.2025, in connection with Azamnagar P.S. Case No. 438 of
2025, F.I.R. dated 21.11.2025 registered for the offences
punishable under Sections 64 and 62 of the B.N.S.

3. Allegation against the petitioner is that he disrobed
the victim and tried to commit rape with her.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the
petitioner has not committed any offence as alleged in the F.I.R.
He further submits that the petitioner has been made accused in



the present case due to village politics and it appears from the F.I.R. itself that the allegation against the petitioner that he has tried to commit rape upon the victim and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.11.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Azamnagar P.S. Case No. 438 of 2025, subject to the following conditions :-

(1) 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 cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) 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 antecedents, 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)

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