

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15059 of 2026

Arising Out of PS. Case No.-67 Year-2025 Thana- MAHILA P.S. District- Kishanganj

Neyaz Ahmed @ Neyaz Ahmad @ Amzad, Son of Nashim Ahmed @ Naseem Ahmad @ Naseem Ahmed, Resident of Pilkhana Road, Churipatti, Ward No.- 04, P.S.- Kishanganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mrityunjay Kumar, Advocate
For the State	:	Mrs.Renuka Ratnakar, APP
For the Informant	:	Mr. Ram Prawesh Kumar, Advocate Mr. Rajeev Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 24-06-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. In the present case, the petitioner seeks bail in connection with Mahila P.S. Case No. 67 of 2025, registered for the offences under Sections 127(2) /351(2) /351(3) /64(1)/ 303(2)/ 352/ 115(2) /126(2) /3(5) of BNS.

3. As per the prosecution case, the petitioner, who runs a furniture shop, came to the house of the informant for installing a bed and committed rape with her finding her alone. Thereafter, giving assurance of marriage, he continued to establish physical relationship with the informant and also induced her to part with some ornaments and cash. However, the



petitioner refused to marry the informant and threw her out from his house.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Both the petitioner and the informant are major and they were in consensual relationship. When the family members of the petitioner denied marriage of the petitioner with the informant, then this FIR has been instituted with completely false allegation. The learned counsel further submits that the prosecution story is not believable that the petitioner committed rape two years back, but the informant did not whisper anything about the commission of this rape either to her family members or to any other person. She registered the FIR only after undue delay of two years without any explanation or justification. The victim was medically examined, but no sign of rape was found. The learned counsel further submits that the parties have arrived at some sort of compromise with intervention of common relatives or well-wishers as both of them belong to same locality. The learned counsel further submits that the petitioner is in custody since 12.01.2026 and is having clean antecedent. The charge sheet has been submitted.

5. The learned APP submits that there is specific



allegation against the petitioner that he committed rape with the informant.

6. The learned counsel appearing on behalf of the informant submits that the informant does not want to pursue this case and she has entered into a compromise with the petitioner.

7. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and further considering the period of custody of the petitioner and his clean antecedent and also considering the submission of charge-sheet against him, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kishanganj/court concerned, in connection with Mahila P.S. Case No. 67 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court



below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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

