

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21489 of 2026

Arising Out of PS. Case No.-294 Year-2025 Thana- POTHIIYA District- Kishanganj

Sajjad, Son of Safik @ Safik Alam, Resident of village - Bhanbhantola,
Kashibari, Atiyala, P.S.- Goalpokhar, District - Uttar Dinajpur (W.B.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for bail in connection with Pothia P.S. Case No. 294 of 2025 registered for the offence punishable under Sections 64(1), 109(1) and 351(2) of B.N.S.

3. The case of the prosecution, in short, is that the petitioner made physical relationship with the informant in hotels and also made the video of the act. It is further alleged that the informant was called at secluded places for establishing physical relationship and on the point of making viral the video, she was forced to establish physical relationship with the petitioner. On 23.11.2025, she was called by the petitioner and was taken to Dogapada. She was threatened. As the informant raised alarm, the petitioner fled away after leaving his bike.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. From perusal of the F.I.R. itself it is clear that the relationship between the informant and the petitioner was old one but the allegation has been levelled only for the act of 23.11.2025 on which date, it is alleged that she was fondled and was threatened of making the video viral and that the petitioner has pressed her neck. It has further been submitted that prior to 23.11.2025, the informant has not made any complaint regarding forceful intercourse by the petitioner. This goes to show that there was consensual relationship between the parties and breakup thereafter. It has further been submitted that from perusal of the medical examination report of the informant, it will transpire that the doctors conducting the medical examination of the victim have not found any injury over genitalia or inner thighs and have opined that there is no evidence of recent sexual intercourse. It has also been submitted that the medical examination report falsifies the allegation levelled against the petitioner. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 25.11.2025.



5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the application for bail. Learned counsel for the informant has stated that the petitioner has established physical relationship forcefully with the victim.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Kishanganj in connection with Pothia P.S. Case No. 294 of 2025.

(Ashok Kumar Pandey, J)

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