

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30226 of 2026

Arising Out of PS. Case No.-4 Year-2026 Thana- SUDHANI District- Katihar

Md. Alauddin @ Alauddin son of Md. Akhtar @ Md. Akhter Alam Resident
of village- Pomra Barol PS -Sudhani,Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Rahmatullah, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 14-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Sudhani P.S. Case No. 04 of 2026 dated 07.02.2026
registered for the offence punishable under Section/s 115(2),
126(2), 64, 352, 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the accusation against the
petitioner is of forcibly committing rape upon the victim girl,
who is the Informant in this case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
in the F.I.R. It is next submitted that the petitioner has clean
antecedent and has falsely been implicated in the instant case. It
is further submitted that after divorce having been taken place



between the Informant and her husband, the family members were pressurizing the petitioner to marry with her and, on refusal to do so, the petitioner has been falsely implicated in this case. It is the case of the petitioner that even the medical report does not support the prosecution case and the compromise has also been arrived at between the parties, which fact has also been mentioned in the impugned order.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and taking into consideration the fact that the medical report does not support the prosecution case and, as also, the petitioner having no criminal antecedent, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Katihar in connection with Sudhani P.S. Case No. 04 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

- (i) One of the bailors should be the family



member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

rishi/-

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

