

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31793 of 2026

Arising Out of PS. Case No.-90 Year-2025 Thana- MAHILA P.S. District- Kishanganj

Md. Haider Pravej Alam @ Md. Haider Pravej S/O Khasiur Rahman R/O
Kashibari, P.S.- Kochadhaman, Dist.- Kishanganj. Petitioner/s

Versus

The State of Bihar Patna Opposite Party/s

Appearance :

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

For the State : Mr. Surendra Prasad Sing, APP

For the Informant : Mr. Raveev Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

3 17-06-2026 Heard the learned counsel for the petitioner, the
learned counsel for the informant and the learned APP for the
State.

2. The petitioner apprehends his arrest in connection with Mahila P.S. Case No. 90 of 2025, for allegedly having committed offence under Section 376 of the IPC.

3. As per the prosecution story, which has been lodged on the basis of the complaint filed by the complainant to the effect that the petitioner was working as a Government teacher in a school in the village of the informant. On 20.02.2018 at about 01:30 hours, he entered into the house of the informant and after taking her into confidence, committed rape upon her. When the informant started crying, then the petitioner promised to marry her. Thereafter, the petitioner continuously had relationship with the informant and when the



informant used to ask him about getting married, he kept on promising him for the same. Subsequently, the petitioner was transferred from the said school and when the informant told him to marry her, he flatly refused to do so. On 17.04.2025, the petitioner came with some paper and requested the informant not to file case and assured her that he will marry her. He took her signature on a blank paper and when the informant put pressure upon him, he flatly refused to marry her. Subsequently, the present case has been filed on 19.11.2025 before the Court of learned C.J.M., Kishanganj, which was sent to the Police for investigation under Section 175(3) of the BNSS. Accordingly, the present first information report has been lodged.

4. The learned counsel for the petitioner submits that the entire allegation levelled against the petitioner is false and concocted. He submits that as per the own version of the informant, she entered into a relationship with the petitioner in the year 2018 and it was a consensual relationship and after seven years of relationship, the present case has been lodged. He further submits that the informant is the maternal sister of the petitioner and she along with her family members used to put pressure upon the petitioner to solemnize the marriage and when the same was refused by the petitioner and his family members,



the present first informant report has been lodged. The petitioner has got a clean antecedent.

5. Per contra, the learned counsel for the informant submits that the petitioner on the pretext of marrying the informant, committed rape upon her in 2018 and thereafter, continuously used to have physical relationship with her and lastly, refused to marry her.

6. The learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner has committed rape upon the informant. Therefore, he does not deserve the privilege of anticipatory bail.

7. Having heard the rival submissions, after going through the records and the case diary, which is available on record, it appears that there was a consensual relationship in between the petitioner and the informant since 20.02.2018. In the case diary, the informant in her statement recorded under Section 180 of the B.N.S.S. has stated that on 20.02.2018 with her consent, physical relationship was established and thereafter, the same continued till 2025. When the petitioner refused to marry the informant, then the present case has been lodged. Even the witnesses have said that the relationship in between the petitioner and the informant was consensual and the family



members of the informant used to put pressure upon the family members of the petitioner and the petitioner to marry the informant. They further submitted that the marriage of other two sisters of the informant has also been solemnised by putting pressure upon the grooms. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, 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 S.D.J.M., Kishanganj in connection with Mahila P.S. Case No. 90 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned 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 concerned shall take steps 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.

(Ritesh Kumar, J)

AjayMishra/-

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

