

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33346 of 2026

Arising Out of PS. Case No.-354 Year-2023 Thana- AAJAM NAGAR District- Katihar

Md. Mazhar Alam S/o Md. Naushad @ Md. Naushad Alam Resident of -
Bhawanipur, P.S - Salmari (O.P) (Ajmnagar), District – Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the petitioner in connection with Ajamgadh P.S. Case no.354 of 2023 registered under sections 341, 323, 493, 313, 379, 354B, 504, 506/34 of IPC.

3. Allegation in the F.I.R is that petitioner committed rape with the informant/victim on the pretext of marriage.

4. Learned counsel for the petitioner submits that initially the case was lodged under various sections of IPC but not Section 376. Allegation was that the informant/victim was taken to the house of the petitioner and rape was committed with her. He further submits that entire family of the petitioner was made accused in the present case. She has herself admitted that her age is to be 27 years and she was in relationship with the petitioner for the last three



years since April, 2021 and the F.I.R came to be lodged on 10.10.2023. Further, the medical report indicates that there was no mark of injury on her private part, either external or internal. The petitioner has no criminal antecedent and he is in custody since 22.11.2025 and undertakes to cooperate in the case/trial. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the fact that there was consensual relationship between the petitioner and the informant/victim for the last three years coupled with the fact that petitioner is in custody since 22.11.2025, the petitioner, who has no criminal antecedent, is directed to be enlarged on bail in connection with Ajamgadh P.S. Case no.354 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court.

(Soni Shrivastava, J)

Harsh/-

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