

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39168 of 2026

Arising Out of PS. Case No.-14 Year-2026 Thana- RAUTA District- Purnia

Shayak Alam @ Shayek Alam S/o Md Shakil @ Shakil Alam R/o Village-
Agachhiya P.S- Amour ,Distt -Purnea.

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijendra Kumar Singh, Advocate Mr. Sudhish Kumar, Advocate
For the Opposite Party/s	:	Mr. Nirmala Kumari, APP
For the Informant/s	:	Mr. Rajnish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Routa P.S. Case No.14 of 2026 dated 19.01.2026 registered for the offences punishable under Section 126(2), 115(2), 69, 352 and 3(5) of the B.N.S.S.

3. As per the allegation, the informant aged about 20 years has alleged that since last two years, the petitioner was establishing physical relationship on false pretext of marriage and whenever she told the petitioner to marry, he gave evasive reply. It has been alleged that on 10.06.2025 at about 11:00 A.M., this petitioner came to the village of the informant and took her to village Moni Tola and in a maize field, he committed



rape upon her. It has further been alleged that when the informant requested the petitioner to marry her, he gave three months time and thereafter he went outside and also started not talking with her. It has further been alleged that the informant went to the house of the petitioner, she was abused and assaulted.

4. Learned counsel for the petitioner submitted that the informant is a major lady and was a consenting party and there was no promise to marry and the allegation regarding establishing physical relationship upon the false pretext of marriage is also false. It has further been submitted that if the petitioner had committed rape on 10.06.2025, the case would have been lodged at that point of time itself, but the case came to be lodged after more than seven months on 19.01.2026. It has further been submitted that no ingredients of Section 69 of B.N.S., has been fulfilled. It has further been submitted that charge-sheet has been filed in this case and there is no allegation of tampering. It has further been submitted that petitioner has got no criminal antecedent. It has lastly been submitted that petitioner has voluntarily surrendered and is in judicial custody since 26.02.2026.

5. Learned A.P.P. for the State and learned counsel for



the informant have vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant has further submitted that there is specific allegation against the petitioner of establishing physical relationship with the informant on false pretext of marriage and thereafter also to have committed rape upon the informant.

6. Heard the parties and perused the records.

7. Considering the facts and circumstances of the case as well as the period of custody, the petitioner above-named is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Excise Rouda P.S. Case No.14 of 2026.

8. The application stands allowed.

(Praveen Kumar, J)

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