

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44248 of 2025

Arising Out of PS. Case No.-338 Year-2024 Thana- BIRPUR District- Supaul

Irshad Alam S/o Naseem Akhtar R/o Bhagwanpur, Ward No. 5, P.S.- Birpur,
Distt- Supaul Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Sr. Adv. Mr. Bidhu Ranjan, Adv. Mr. Kumar Rajdeep, Adv.
For the Informant	:	Mr.Praveen Kumar, Adv.
For the State	:	Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 07-01-2026 Heard the learned Senior counsel for the petitioner as
well as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Birpur P.S. Case No. 338 of 2024, registered for the offences
punishable under Sections 64, 89, 352, 351(2),3(5) of the BNS.

3. The allegation against the petitioner is that he
established physical relations with the informant on the false
promise of marriage, as a result of which, she became pregnant
and that he allegedly caused her miscarriage by administering
abortion pills. It is further alleged that when the informant
demanded marriage, the petitioner and his family members
assaulted and insulted her and ignored the *panchayti* convened in
the matter.

4. *Mr. N. K. Agrawal*, the learned Senior Counsel for the
petitioner has submitted that admittedly the informant is a married
lady. The independent witnesses, in paragraph nos. 49, 50 and 51



of the case diary, have stated that the informant was making phone calls to the petitioner. According to the submission, the relationship between the petitioner and the informant was consensual. He has further submitted that the informant had also lodged a case against her husband. The petitioner has been in custody since 24.02.2025.

5. On the other hand, the learned counsel for the State and the learned counsel for the informant have opposed the prayer for bail by submitting that the petitioner sexually exploited the victim.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named, is directed to furnish bail bond and on doing so, the court below shall release the petitioner on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned ACJM, Birpur, Supaul in connection with Birpur P.S. Case No. 338 of 2024, subject to the following conditions that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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