

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43086 of 2026

Arising Out of PS. Case No.-125 Year-2026 Thana- SATHI District- West Champaran

Noor Alam @ Nur Alam S/o Gafar Dewan @ Gafar Sah R/o Village - Murli
Kathari, PS - Sathi, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X (Symbolic name of the Informant) W/o Y (Imaginary name of father of the Informant) R/o Village - Murli Kathari, PS - Sathi, District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 351(2), 352, 69 and 3(5) of the B.N.S..

3. The prosecution case, in brief, is that informant-cum-victim's husband lives outside the city and taking advantage of the situation, this petitioner, who happens to be her neighbour, engaged in sexual relations with her on multiple occasions under the false pretext of marriage. It is further alleged that while his house was under construction, the petitioner borrowed cash and jewellery worth Rs. 3,41,000/-



from the informant and on 14.04.2026 at about 9 PM, when the informant went to discuss about marriage, this petitioner and co-accused Sadre Alam abused and assaulted her, refused to solemnize marriage and threatened of dire consequences.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. The entire prosecution case, as set out in the F.I.R., is out and out false, fabricated and concocted. From bare perusal of the F.I.R. it is apparent that informant is a married lady and both parties knew each other since long and with the passage of time, relationship developed. At the time when the relationship developed, both of them were major and were fully aware of the consequences of such a relationship. The relationship was consensual between two consenting adults and both of them enjoyed each others company for a long period of time. It is further submitted that only because the relationship could not continue and failed, the same does not amount to rape. Rest of the allegations are ornamental in order to make the case grave. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.



6. Considering the rival submissions advanced on behalf of learned counsel for the parties and the fact that from bare perusal of the prosecution case it is apparent that at the time when the relationship developed between the parties, both of them were major and enjoyed each others' company for a long period of time, the same cannot be said to be inducted or involuntary and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Sathi P.S. Case No. 125 of 2026, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

shashank/-

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

