

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68603 of 2025

Arising Out of PS. Case No.-291 Year-2025 Thana- AMAUR District- Purnia

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Gulam Rabbani @ Gulam Rabbanee S/O Late Md. Samim Resident of Vill.-
Parsarai, P.S.- Amour, Dist.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Akida Khatoon W/O Md. Najim Resident of Vill.- Parsarai, P.S.- Amour,
Dist.- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar Bhagat, Advocate
For the Informant	:	Mr. Ram Prawesh Kumar, Advocate
For the State	:	Mr. Ahmad Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-02-2026 Heard Mr. Sumit Kumar Bhagat, learned counsel

 appearing on behalf of the petitioner; Mr. Ram Prawesh Kumar,

 learned counsel appearing on behalf of the informant and Mr.

 Ahmad Ali, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Amour P.S. Case No. 291 of 2025, registered for the
offence punishable under Sections 126(2), 115(2), 64, 76, 352,
351(2), 3(5) of the BNS and Section 6 of the POCSO Act.

3. As per the allegation made in the FIR, the petitioner
had established sexual relationship with the sister of informant
on the pretext of marriage.

4. Mr. Sumit Kumar Bhagat, learned counsel
appearing on behalf of the petitioner is present and he is not



aware of the facts of the case and has shown his inability to argue the present bail application.

5. The bail application was heard on 24.09.2025, on which date, case diary and medical report was called for. From perusal of the case diary and the impugned order it appears that on the pretext of marriage, the sister of the informant was exploited by the petitioner sexually since the year 2022. The law in respect of such allegation is well settled by the Apex Court in the case of *Naim Ahmed Vs. State (NCT of Delhi)*, reported in **2023 SCC Online SC 89**.

6. Considering the nature of allegation and admission of the victim that she was in love relationship with the petitioner since the year 2022 and never before the date of lodging of the FIR, she had complained against the petitioner, learned District Court is directed to reconsider the bail application of the petitioner in light of the judgment passed by the Apex Court in the case of *Naim Ahmed (Supra)* and pass fresh order in accordance with law.

7. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

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