

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79493 of 2025

Arising Out of PS. Case No.-134 Year-2023 Thana- POTHIIYA District- Kishanganj

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Md. Naeem Ahmad @ Naeem S/o Bazaru Rahman @ Lalman @ Md. Buzlur
Rahman R/o Village - Maria, P.S - Paharkatta, District - Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. XYZ D/o Samiruddin R/o Village - Khoksha Bari, P.S - Pothia, District -
Kishanganj

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ram Prawesh Kumar, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 21-04-2026 Heard Mr. Ram Prawesh Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Umeshanand
Pandit, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 376 and
506 of the Indian Penal Code and Sections 4 and 6 of the
POCSO Act.

3. As per prosecution case, it is alleged that this
petitioner established physical relations with the informant on
the pretext of marriage and thereafter, refused to solemnize
marriage and also posted her intimate photographs on social



media.

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 and both of them enjoyed each others company for three long years. It is further submitted that only because the relationship could not continue and failed, the same does not amount to rape. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. and there is specific accusation that on the pretext of marriage, he established physical relations with the informant on various occasions and thereafter, refused to solemnize marriage and also posted intimate photographs of the informant on social media. The victim in her statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence and statement of the victim recorded under Section 164 of the Cr.P.C., the prayer for grant of anticipatory bail to the petitioner



is rejected.

(Prabhat Kumar Singh, J)

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