

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84848 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- JALALGARH District- Purnia

Athar Ali@ Md. Athar S/O Late Yaqub Resident of Village - Kundalaya, P.S-
Jalalgarh, Dist.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/O Qamruddin Resident of Village - LachanpurWard no .- 1, P.S-
Jalalgarh, Dist.- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N A Shamsi, Advocate
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad, APP
For the Informant	:	Mr. Nadimul Hasan, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 20-04-2026 Heard Mr. N A Shamsi, learned counsel appearing
on behalf of the petitioner; Mr. Nawal Kishore Prasad, learned
APP for the State and Mr. Nadimul Hasan, learned counsel
appearing on behalf of the Informant.

2. The petitioner seeks pre-arrest bail in connection
with Jalalgarh P.S. Case No. 171/2025 registered for the
offence(s) punishable under Sections 191(2), 126(2), 115(2), 64 of
the BNS and Sections 4, 6 of Protection of Children From
Sexual Offences Act.

3. As per the allegation made in the FIR, the petitioner
allegedly established physical relations with the informant's
daughter on the pretext of marriage, resulting in her pregnancy,



and thereafter assaulted the informant and his relatives.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has falsely been implicated in the present case. Pursuant to a village *panchayati*, the petitioner has already solemnized marriage (*Nikah*) with the victim on 26.08.2025 (Annexure-2) and is ready to keep the victim with dignity and without any condition. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned counsel appearing on behalf of the informant, as well as, learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegations made in the FIR, and considering the fact that the petitioner has already performed *Nikah* with the victim and is willing to keep her with dignity and respect without any condition, and in view of the observations made by the Apex Court in case of ***State of U.P. vs. Anirudh & Anr.***, reported in ***2026 LiveLaw (SC) 29***, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be



released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending / Concerned Court in connection with Jalalgarh P.S. Case No. 171/2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Ashishsingh/-

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