

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85386 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- KUWARI District- Araria

Md. Abu Bashar @ Abu Basar @ Pintu S/o- Faruk R/v- Lailokhar Garaiya
W.No-3, Ps- Kuwari Dist- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rifat Khatoon D/o- Md. Arif, W/o- Md. Abu Bashar @ Abu Basar @ Pintu R/v- Lailokhar Garaiya, W.No- 5, Ps- Kuwari Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gopal Kumar Jha, Adv.
For the Opposite Party/s	:	Mr.Tarkeshwar Nath Thakur, APP
For the informant	:	Mr. Madhav Jha, Adv.
		Mr. Nishant Choudhary, Adv.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 06-01-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Kuwari P.S. Case No. 30 of 2024, instituted for the offences under Sections 323/324/341/376/504/506 of the I.P.C. and Section 3/4 of the D.P.Act.

3. As per prosecution case, the informant has alleged that the petitioner had sexually exploited her on the promise of marriage. However, thereafter he refused to marry and the petitioner is alleged to have locked her in the house and assaulted her brutally.



4. Learned counsel for the petitioner at the outset submits that during pendency of the present application, the parties have compromised and even a Nikahnama was executed on 30.04.2025 with the informant. It has next been submitted that at present informant is living at her matrimonial house and a compromise petition has already been filed before the learned trial court, which has been brought on record by way of Annexure-P/5. The petitioner is in custody since 12.11.2025.

5. Learned counsel for the informant/opposite party no. 2 does not dispute the submission made by the learned counsel for the petitioner and has further stated that not only the informant is staying at her matrimonial house, but she is also in family way.

6. Considering the aforesaid submissions, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Araria in connection with Kuwari P.S. Case No. 30 of 2024, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and



every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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