

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88916 of 2025

Arising Out of PS. Case No.-87 Year-2025 Thana- SHAHKUND District- Bhagalpur

Mohammad Sahil Alam Son of Naseem @ Md. Firoz Khan @ Munna R/O
Vill.- Khaira, P.S.- Shahkund, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Pravina Kumari, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Ms. Pravina Kumari, learned counsel for the

petitioner and Mr. Shailendra Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Shahkund P.S. Case No. 87 of 2025, F.I.R. dated 19.05.2025 for the offences punishable under Sections 69 of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that the petitioner used to make physical relation with her on pretext of marriage. On 19.11.2024, the petitioner brought the informant to his house where his sisters assaulted her and threatened her to kill if she would lodge case.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. It appears from the FIR that date of the occurrence was on 19.11.2024 but the FIR was lodge on 27.05.2025 i.e. after delay of about six months without giving any reason of delay. She further submits that date of birth of victim is 08.05.2004 which suggest that the victim was major on the day of occurrence and apart from that the victim has refused for her medical examination.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and FIR has been lodged after delay of about six months and the victim was major on the alleged date of occurrence and she has refused for her medical examination, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Bhagalpur in connection with Shahkund P.S. Case No. 87 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik



Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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