

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90385 of 2025

Arising Out of PS. Case No.-333 Year-2025 Thana- SULTANGANJ District- Patna

Md. Naushad @ Md. Shafique @ Md. Sharique S/o Md. Firoz @ Firoz
Resident of - Pather Ki Masjid, Rajdhani Arms, Police Station - Sultanganj,
District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Najma Khatoon Wife of Md. Salauddin Resident of Village - Dargah Road,
ps- Sultanganj, Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Krishna Jha, Advocate
For the Opposite Party/s	:	Mr. Jai Narain Thakur, APP
For the Opposite Party No.2	:	Mr. Shankar Prasad Roy, Advocate

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioner, learned
counsel for the Opposite Party No.2 and learned APP for the
State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Sultanganj P.S. Case No.
333 of 2025 dated 20.08.2025 registered for the offences
punishable under Section 64 of B.N.S. and Sections 4 and 6 of
POCSO Act.

3. As per the prosecution case, the daughter of the
informant, who happens to be the victim of the case, used to go
to school everyday. The daughter of the informant told that this
petitioner used to follow her in the same school and on



20.08.2025 victim told her that on 11.08.2025 accused petitioner took her daughter to a hotel near Patna Junction, lured her and established physical relationship with her on the pretext of marriage and thereafter he evaded the marriage with the victim.

4. Learned counsel for the petitioner submits that as a matter of fact the allegation is false. The victim was a consenting party, there is no element of Section 137 Clause 2 B.N.S. to substantiate the ingredients to constitute offence under Section 96 B.N.S., As per the statement of the victim girl which has been called for on earlier occasion by this Court, the victim has stated to have established physical relation willfully without subjecting to any force by this petitioner. The petitioner is in custody since 22.08.2025 and has got no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the Opposite Party No. 2 have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, period of custody and statement of the victim recorded under Section 183 of B.N.S.S., the petitioner above-named, is directed to be enlarged 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 learned Court concerned,



Patna in connection with Sultanganj P.S. Case No. 333 of 2025.

7. The application stands allowed.

(Praveen Kumar, J)

shivam/-

U		T	
---	--	---	--

