

In the Court of Additional Sessions Judge - I, Darbhanga

Present : Neeraj Kumar - II, BHJS, BR00552

BP No. 479/2026

(Arising out of Raiyam P.S. Case No 17 of 2026)

Md Zahid Parwez Versus the State of Bihar

Md Zahid Parwez, Aged about 45 years, S/o Abdul Jabbar, R/o Village - Rajaura, P.S. - Raiyam, District - Darbhanga

----- Petitioner

versus

State of Bihar

----- Opposite Party

Appearance(s):

Counsel for the Petitioner(s) : Sri Bipin Kumar, Learned Advocate.
Counsel for the State : Sri A. N. Jha, Learned Public Prosecutor.
Counsel for the Informant : Sri Jawaid Ahmed Khan, Learned Advocate

ORDER

16.06.2026

1. The petitioner above named sought regular bail in connection with Raiyam P.S. Case No 17 of 2026 registered for the offence under Sections 126(2), 115(2), 109(1), 64, 85, 3(5) of the Bhartiya Nyay Sanhita (hereinafter referred to as 'BNS' for short). The petitioner has been in judicial custody since 27.03.2026.
2. The Learned counsel appearing on behalf of the petitioner submitted that he was innocent and had not committed any offence. It was also submitted that petitioner had not filed bail petition of any sort earlier this court or either before any superior court. It was also submitted that the petitioner had no criminal antecedent. It was also submitted that the petitioner had been implicated in this case due to misunderstanding and misguide of maike of the informant. It was also submitted that the informant had filed this false case after 21 years of marriage. It was also submitted that all the sections are bailable except section 109(1), 64 BNSS not made out against the petitioner. It was submitted that the petitioner was ready to abide by the condition(s) imposed upon him by the learned court. The learned counsel prayed for grant of regular bail to the petitioner.
3. Learned Public Prosecutor assisted by the learned counsel for the Informant opposed the petition and prayed to reject it.
4. Heard both the sides, perused the case record and the Learned Trial Court Record.
5. The prosecution case according to FIR in brief is that the petitioner family members inhumanly tortured the prosecutrix both mentally and physically. The petitioner's brother had an evil eye over her. When she protested, all of them assaulted her. It is alleged that the petitioner married again with another lady. Petitioner's brother Javed after getting released from jail, chatted with the prosecutrix in Kanpur administered some intoxicant and committed rape upon her. When she complained Javed, he threatened her of making her obscene video viral. When she returned back to her matrimonial house, the petitioner told her of having married again. It is alleged that the petitioner committed rape upon the prosecutrix and inserted his mobile in her private parts. It is alleged that the petitioner and the second

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wife twisted her hands backwards and the petitioner attempted to strangle her by tightening a noose around her neck. The prosecutrix was thrown out of her house after snatching all her jewellery.

6. It is not in dispute that the petitioner is the husband of the prosecutrix. The injury report of the prosecutrix does not disclose any injury over her private parts and it only noted about scratches on other parts which are found to be simple in nature. In her statement u/s 183 of the BNSS, the prosecutrix stated to have come from her sasural for getting her statement recorded and she refused to get herself medically examined. The petitioner has been in custody since 27.03.2026. Cognizance of offence already taken in this case.
7. In facts and circumstances as stated above, the instant regular bail petition filed on behalf of the petitioner namely **Md Zahid Parwez** is hereby **allowed**. The petitioner is directed to be released on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each with an undertaking under Section 480(3) of the BNSS subject to the satisfaction of the Learned Jurisdictional Court.
8. It is made clear that this order has no bearing on the merits of the case.
9. Let a copy of this order be sent to the concerned Jurisdictional Court.
10. Let this case record be deposited in the Record Room, Civil Court, Darbhanga after all due diligence.

(Neeraj Kumar - II)
Addl. Sessions Judge-I
Darbhanga
16.06.2026

Date of Order	16.06.2026
Date of Reserving Order	16.06.2026
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