

In the Court of Additional Sessions Judge - I, Darbhanga
Present : Neeraj Kumar - II, BHJS, BR00552
BP No. 688/2026
(Arising out of Baheri P.S. Case No 370 of 2025)
Md. Mustaqueen @ Md. Mustakeem Versus the State of Bihar

Md. Mustaqueen @ Md. Mustakeem, Aged about 24 years, S/o Safirul, R/o Village - Belgaon, P.S. - Baheri, District - Darbhanga

----- Petitioner

versus

State of Bihar

----- Opposite Party

Appearance(s):

Counsel for the Petitioner(s) : Sri Hassamul Haque, Learned Advocate.

Counsel for the State : Sri A. N. Jha, Learned Public Prosecutor.

ORDER

30.07.2026

1. The petitioner above named sought regular bail in connection with Baheri P.S. Case No 370 of 2025 registered for the offence under Sections 64, 115(2), 303(2), 351(2), 352, 3(5) of the Bhartiya Nyay Sanhita and 3, 4 of Dowry Prohibition Act (hereinafter referred to as 'BNS' for short). The petitioner has been in judicial custody since 01.07.2026.
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 has moved a pre-arrest bail application before your honour and before the Hon'ble High Court Patna and after disposal of this bail application your petitioner voluntarily surrendered before the learned court below and seek regular bail but it was also refused on 01.07.2026 and thereafter the petitioner had not filed bail petition of any sort earlier this court or either before any superior court. The petitioner has no criminal antecedent. It was further alleged that the entire allegations levelled against the petitioner is totally false and baseless. It was also submitted that the Section 64(1) of the BNS is not made out against this petitioner. It was also submitted that the entire case is false and baseless and lodged only to marry with the petitioner by the mother of a divorced lady. It was also alleged that the prosecution story is wrong, false and typed with legal brain and your petitioner has voluntarily surrendered before the court. 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 opposed the petition and prayed to reject it.
4. Heard both the sides, perused the case record and the case diary.
5. The allegation against the petitioner is that on 05.05.2025, the daughter of the informant was alone in her house and taking advantage of the same, the petitioner came to her house and administered some drugs into her cold drinks. The daughter of the informant then felt unconscious and then the petitioner made physical relationship with the victim and also recorded some obscene video. Thereafter, he blackmailed the victim and committed rape with her several times. In the meantime, the victim

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was married with some other person and after her marriage her in-laws came to know about her pregnancy with some other person and thereafter, she was ousted from her matrimonial house. It is further stated that then the informant went to the house of petitioner at which he demanded Rs. 2 lakhs cash, motorcycle and other things in dowry and the petitioner along with his family members abused the informant and her daughter.

6. The victim in her statement u/s 180 and 183 of the BNSS specifically imputed the petitioner to have administered her some intoxicating substance through cold drink. Consequently, she got unconscious and then the petitioner established physical relationship with her and also got it video taped. It is alleged that the victim got pregnant due to this forced physical relationship. The matter is still under investigation.
7. Though the petitioner has been in custody since 01.07.2026 but taking into account the nature of allegation against the petitioner, I do not find it a fit case to grant him the privilege of regular bail. In the result, the instant regular bail petition filed on behalf of the petitioner namely **Md. Mustaqueen @ Md. Mustakeem** stands **rejected**.
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
30.07.2026

Date of Order	30.07.2026
Date of Reserving Order	30.07.2026
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