

The Court of Addl. Sessions Judge-Ist, Kishanganj
Bail Petition No. - 151 /2026
(Powakhali PS Case No. 46/ 2026)

Present : Suresh Kumar Singh II
Addl. Sessions Judge-Ist, Kishanganj

Ahmad Raja

..... (Petitioner)

Vs.

The State of Bihar

..... (Opposite Party)

For the Petitioner : Sri Imteyaz Ali (Advocate)
For the State : Sri Suren Prasad Saha (A.P. P.)

02-06-2026 1. Heard learned counsel for the petitioner namely, Ahmad Raja, who is in custody since 31.03.2026 in connection with Powakhali P.S. Case No. 46/2026, registered u/s 69 BNS. Also heard learned P. P. for the State.

2. Prosecution story as per written report of informant is that she had been in a love relationship with Ahmad Raja for the last 4-5 years. During this period, they had physical relations on several occasions. On the night of 30.03.2026 at about 11:30 PM accused Ahmad Raja came to her house while her mother was away. They were engaged in a physical relationship when her mother returned and caught them together. Her mother locked them inside the house and informed the villager. The next morning villager questioned Ahmad Raja, who expressed willingness to marry her and sought 3-4 hours time to bring his guardians and assuring them that the marriage would take place by 04:00 PM. Despite waiting until 04:00 PM on 31.03.2026 Ahmad Raja and his mother Usnara refused from marriage. On the basis of written report of informant Powakhali P.S. Case No. 46/2026 was registered.

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has not committed any offence. No case is made out against the petitioner. The section 69 BNS has not attracted against the petitioner because both the person the informant and the petitioner are the major person. The informant has already accepted that there is no sexual assault forcefully against the informant by the petitioner. The informant is physically present in the Court in support of the above contents. The case has been compromised More

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over both case have been compromise between the parties. The petitioner is in custody since 31-03-2026. As per para 03 of bail petition, petitioner has clean antecedent.

4. Learned P. P. has opposed the prayer for bail.

5. From perusal of record it transpires that there is allegation against this petitioner is that he committed rape with the victim on pretext of marriage and later on he refused from marriage. From perusal of record it transpires that during investigation statement of victim was recorded U/s 183 BNSS in which she has stated that she was love affair with the petitioner since five years. She has not said anything regarding the physical relation or sexual intercourse by the petitioner. At the time of hearing victim was present in the Court and said that case has been compromised and petitioner has not committed rape with her. The petitioner is in custody since 31.03-2026. Considering the facts, nature and period of custody already undergone by the petitioner, I am inclined to enlarge the petitioner on bail.

6. Accordingly the petitioner namely, Ahmad Raja is hereby directed to be released on bail on furnishing bail bond of the amount of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the Learned Court Concerned.

Dictated

Sd/-

Suresh Kumar Singh II
Addl. Sessions Judge-1st
Kishanganj

Date of Judgment/Order	02-06-2026
Date of Reserving Judgment/Order	NA
Uploading Date	04-06-2026
Uploaded by	Steno