

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3832 of 2025

Arising Out of PS. Case No.-127 Year-2024 Thana- RAMPUR HARI District- Muzaffarpur

Vishal Kumar Son of shankar Rajak Village- Daud Chhapra, P.S- Rampurhari,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amrendra Kumar, Advocate
For the State	:	Mr.Dilip Kumar No. 1, APP
For the Informant	:	Mr.Brahamutra Singh Ishu, Advocate
		Ms. Poona Kumari, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. The petitioner apprehends his arrest in connection with Rampurhari P.S. Case No.127 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 123, 69, 74, 64, 352, 351(2) and 3(5) of the Bhartiya Nagrik Suraksha Sanhita.

3. The allegation against the petitioner is that of sexual exploitation of the informant on a false pretext of marriage.

4. Learned counsel for the petitioner submits that the informant is a major girl, aged about 21 years, which would be evident from her statement recorded under Section 183



B.N.S.S. It has further been submitted that there was a love relationship between the petitioner and the informant and whatever relationship was there it was on account of a consensual relationship between the two adults.

5. Learned counsel for the petitioner has further submitted that there is a delay of 22 days in the registration of the FIR and as a matter of fact the petitioner and the informant are neighbours and the informant has even refused to get herself medically examined as would appear from paragraph 25 of the case diary.

6. The application has been opposed by the learned APP for the State and also learned counsel for the informant, besides other grounds, also on the ground that the victim has supported her case in her statement recorded under Section 183 B.N.S.S.

7. However, upon a perusal of the same, it would be gathered that she has referred to the petitioner as her friend with whom there was a physical relationship for the past two years and it would further appear that on 13.06.2024 he had come to the shop and given her a medicine stating that both of them would consume the same medicine. However, even after the said incident, the FIR came to be lodged on 03.07.2024.



8. Taking into consideration the rival submissions and also considering the factum of a consensual relationship between the two adults and further taking into consideration that the petitioner is also a student having no criminal antecedent, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IX, East Muzaffarpur in connection with Rampurhari P.S. Case No.127 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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