

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7294 of 2025

Arising Out of PS. Case No.-50 Year-2024 Thana- MAHILA P.S. District- Madhubani

Raushan Roy @ Samrat @ Raushan Rai S/o Nantun Roy R/o Village-
Sukhbari, P.S.- Harlakhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shanti Kumari D/o Ram Gulam Roy R/o Village- Sukhbari, P.S.- Harlakhi,
Distt.- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Advocate Mr. Udeshya Kumar Yadav, Advocate
For the Opposite Party/s	:	Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 23-06-2025 Heard the learned counsel for the petitioner and the
the learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 126(2), 115(2), 64, 89, 352, 351(2) and 3(5) of B.N.S. Petitioner has clean antecedent.

3. As per the prosecution case, the allegation upon the petitioner is that he had lured the informant and made physical relationship with her on the pretext of marriage and had also recorded some obscene videos. It is further alleged that when the informant had become pregnant, the petitioner had asked her to terminate the pregnancy and had forced her to take medicine. It is further alleged that they renewed their relationship and



thereafter she again became pregnant and it was terminated after two and a half months on 20.11.2024 and thus the present FIR was lodged.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no case under Section 64 of BNS is made out. It has further been submitted that the victim was examined by a medical board and no medical evidence of sexual assault was found. It has further been submitted that from perusal of the FIR as well as the statement made under Section 183 BNSS, it would be evident that the relationship of the informant with the petitioner was consensual and it does not have any attribution of force being used against her and it was on her own sweet will, the informant was in relationship with the petitioner which continued for more than two years. The learned counsel for the petitioner lastly submits that the petitioner has clean antecedent and he is in custody since 27.11.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that the petitioner had exploited the informant on the pretext of marriage and had also forced her to terminate the pregnancy and hence he does not deserve the liberty of bail.



6. Considering the aforesaid facts and circumstances and taking into account the nature of allegations of a long term relationship, informant with the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mahila P.S. Case No. 50 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) The petitioner shall not approach the informant or any of the family members or the victim girl to either coerce or threaten during the pendency of the trial.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the



above-mentioned order shall not be delayed for purpose of or in
the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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