

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9094 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- BAHERA District- Darbhanga

Sachida Nand Sahu @ Sachidanand Sahu @ Sachidanand Sah S/O Parduman Sahu @ Praduman Sahu R/O Vill.- Totta Uchhti, P.S.- Biraul, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ali M. Ahmed, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 12-05-2025 Heard Mr. Ali M. Ahmed, learned counsel appearing on behalf of the petitioner and Mr. Jitendra Kumar Singh, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection with Bahera P.S. Case No.68 of 2024 registered under Sections 376, 379, 504, 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner committed immoral act with the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has falsely been implicated in the present case. It would appear from the statement of the victim (Informant) recorded under Section 183 of the BNSS that in spite of knowing the fact that the she is



a married lady, the informant has admitted that she was in a relationship with the petitioner and she willingly used to talk to him, and in fact the petitioner has been trapped by her in the relationship. The informant though has alleged that when she started living with her husband, the petitioner used to call and harass her by making continuous phone calls, however, it has not been admitted by the her, in her statement recorded under section 183 of the BNSS, that the petitioner has taken any inappropriate photograph of her or committed any immoral act with her. The informant has also denied to get herself medically examined. The petitioner has clean antecedent. On these grounds the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the allegation made in the FIR, as well as, the fact that the allegation made against the petitioner that he has taken inappropriate photograph of the informant or committed any immoral act with her, has not been admitted by the informant in her statement recorded under section 183 of the BNSS, however, she has admitted that while she was living alone, she willingly used to talk to the petitioner on phone and later on, when she started living with her husband, the petitioner



started harassing her by making continuous phone calls and she has also denied to get herself medically examined, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory bail.

7. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned ACJM, Benipur, Darbhanga in connection with Bahera P.S. Case No.68 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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