

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10422 of 2025

Arising Out of PS. Case No.-359 Year-2024 Thana- DHORAIYA District- Banka

Pravesh Kumar Yadav @ Pravesh Kumar S/O Pradip Yadav Village-
Biramchak, P.S.- Bolbadda, District- Godda, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratyush Pratap Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 01-07-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Dhoraiya P.S. Case No. 359 of 2024 instituted for the offences
under Sections 64, 303(2) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the
petitioner is of making physical relationship with the victim girl
on the false pretext of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner has not committed any offence as alleged in the
F.I.R. Learned counsel for the petitioner submits that the



victim/complainant is a 26 years old married woman and had voluntarily met the petitioner. He further submits that the said relationship was a consensual relationship between the parties and, in this regard, he has placed reliance on the case of the Hon'ble Supreme Court in ***Criminal Appeal No. 233 of 2021 [Arising out of SLP (Crl) No. 11218 of 2019] (Sonu @ Subhash Kumar Vs. State of Uttar Pradesh & Anr.)***. He further submits that the Informant had voluntarily went to the petitioner with cash and jewelry which indicates that there was no coercion or force meted upon her. He further submits that the date of occurrence is 19.10.2024 but, the F.I.R. was lodged for the same on 22.10.2024 which creates doubt in the veracity of the prosecution case. The medical report does not support the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 23.10.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The statement of the victim girl recorded under Section 164 of the Cr.P.C. supports the prosecution case. The petitioner is named in the F.I.R. and, hence, he does not deserve



bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhoraiya P.S. Case No. 359 of 2024.

(Rudra Prakash Mishra, J)

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