

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15954 of 2025**

Arising Out of PS. Case No.-151 Year-2024 Thana- MANIHARI District- Katihar

Hare Krishna Prasad @ Hare Krishna Paswan Son of Raghunandan Prasad  
Resident of Village- Azampur Tola, Ward No. 15, P.S.- Manihari, Dist.-  
Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anju Devi W/O Late Deepak Kumar Ravidas R/O Village - Azampur Gola,  
Ward No. 9, Post P.S. Manihari, District - Katihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vikram Singh, Advocate  
For the Opposite Party/s : Mr.Bharat Bhushan, APP  
For the informant ; Mr. Bimal Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

3      15-09-2025                      Heard Mr. Vikram Singh, learned counsel appearing  
  
on behalf of the petitioner, Mr. Bharat Bhushan, learned APP  
  
for the State and Mr. Bimal Kumar, learned counsel for the  
  
informant.

2. The petitioner seeks pre-arrest bail in connection  
with Manihari P.S. Case No. 151/2024 registered for the  
offence(s)                      punishable                      under                      Sections  
147,148,149,323,341,354,452,376,354B,471,420,504,506,120B,  
34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the  
petitioner established physical relationship with the informant,  
who is a widow lady, on the pretext of marriage.



4. Learned counsel appearing on behalf of the petitioner submitted that when the relationship developed between both the parties, they were major. From perusal of the complaint, it is apparent that both parties were in relationship for quite some time and enjoyed each other's company for months together and indulged in sexual act and as such, it cannot be said to be induced or involuntarily. The relationship was consensual. In this regard, he has placed reliance upon a judgment of the Apex Court in case of **Naim Ahmed Vs. State (NCT of Delhi)**, reported in **2023 SCC Online SC 89**.

5. Learned counsel appearing on behalf of the informant and learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as the allegation made in the FIR, it is evident that the informant has not denied that she was not in relationship with the petitioner and both the petitioner and informant are major and she has made allegation that on the pretext of marriage, petitioner used to establish physical relationship with her. In light of law laid down by the Apex Court in case of **Naim Ahmed (Supra)**, I am of the opinion that petitioner has, *prima facie*, made out a case to be released



on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar / Concerned Court in connection with Manihari P.S. Case No. 151/2024, subject to the conditions 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 and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

**(Purnendu Singh, J)**

Sanjay/-

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