

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16494 of 2025

Arising Out of PS. Case No.-77 Year-2024 Thana- MAHILA P.S. District- Muzaffarpur

Bambam Singh @ Bambam Kumar S/o Shiyam Narayan Singh @ Shiyam Narayan Singh Resident of Mohalla -Balutol Sisia ward no 08 Post- Sisia Bisaria, PS- kodha, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bipin Chandra, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP
For the Informant : Mr. Basheer Faizi, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 6 22-07-2025 1. Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.
2. The petitioner apprehends his arrest in connection with Mahila P.S. Case no.77 of 2024 registered under sections 318(4), 64 and 351(2) of the B.N.S, 2023.
3. The allegation in the F.I.R is that the petitioner did not fulfill his promise of marriage with the informant and had got engaged to some other girl. It is further alleged that he had also taken money from her and there is a proof of Online transaction of Rs.50,000/- and there is a further allegation of threatening.
4. Learned counsel for the petitioner submits that the allegations of relationship between the petitioner and the



informant is denied and as a matter of fact the allegation itself shows the involvement of her will and consent of being into a relationship. Further, the statement of the informant has been recorded under Section 183 of B.N.S.S and according to such statement it appears that she is basically wanting to recover some money that she had given to the petitioner. It would also appear that the informant is a mature woman of 30 years of age and it is not on any false promises that she had entered into relationship if any, with the petitioner. A report had been called for from the Superintendent of Police, Muzaffarpur with regard to clarification of certain facts and the said report indicates that there is no material to show that any threatening etc., is being given to the informant and further, no evidence has also been found with regard to factum of their staying together in a hotel and the medical examination report also did not disclose that petitioner established any physical relationship with the informant. Further, the conduct of the informant herself is questionable as her father filed a complaint against her of falling into bad company (Annexure-P/2).

5. Learned counsel for the informant, however, opposes the prayer of grant of anticipatory bail by way of a counter affidavit filed on her behalf supporting the allegation



made in the F.I.R and also relating to transfer of money and the factum of threatening.

6. Taking into consideration the entire facts and circumstances of the case and also considering the fact that the petitioner and the informant were known to each other for the past three years and the informant being a mature adult of 30 years of age who even if, she entered into a relationship that was her informed and conscious choice in which the petitioner cannot not be held to be liable, I am inclined to grant anticipatory bail to the petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks, in connection with Mahila P.S. Case no.77 of 2024 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 Chief Judicial Magistrate, Muzaffarpur, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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