

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18085 of 2025

Arising Out of PS. Case No.-89 Year-2024 Thana- PIRI BAZAR District- Lakhisarai

Raushan Kumar Son of Late Rajendra Tati Resident of Benipur, P.S. - Piri
Bazar, District - Lakhisarai, Bihar - 811112

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Basheer Faizi

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-04-2025 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for offence under Sections 64(1), 316(1), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. Allegation against this petitioner is that he sexually exploited the informant for about two years on false promise of marriage. Later on, he refused to marry her and decided to marry other girl.

4. It is submitted on behalf of petitioner that from perusal of the F.I.R., it is apparent that both parties are major and they were in relationship for quiet some time. They enjoyed each others company for several months and indulged in sexual act, which cannot be said to be induced or involuntarily. Relationship was consensual and informant was very much



capable of understanding the consequences of her action and simply because relationship could not work out, it will not give rise to institution of F.I.R. for the offence under Section 64(1) of the Bharatiya Nyaya Sanhita, 2023. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VII, Lakhisarai in Piri Bazar Police Station Case No. 89 of 2024, subject to condition as laid down under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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