

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19147 of 2025

Arising Out of PS. Case No.-535 Year-2024 Thana- WARISLIGANJ District- Nawada

Prem Ranjan Kumar @ Prem Ranjan @ Vikash Kumar, Gender- Male, aged about 30 years, Son of Ravi Shankar Das, resident of Village - Masankhama, Police Station- Warisaliganj in the district of Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2025 Heard Mr. Sunil Kumar, learned counsel appearing on behalf of the petitioner and Mr. Rajesh Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Warsaliganj P.S. Case No. 535 of 2024 registered for the offence punishable under Sections 126(2), 352, 69, 316(2) and 3(5) of the B.N.S., 2023.

3. As per the allegation made in the FIR, petitioner had established physical relationship with the informant on the pretext of marriage.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. The informant has alleged



that she was having relationship with the petitioner for the last six months and upon refusal to marry, she has filed the present complaint petition. She has admitted that sexual act was established between the parties. In course of investigation, when the Investigating Officer had requested the informant for medical examination, she had declined for the same. Petitioner has clean antecedent. On these grounds, 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. In the case of *Naim Ahmed Vs. State (NCT of Delhi)*, reported in **2023 SCC Online SC 89** and in the case of *Sonu @ Subash Kumar Vs. State of Uttar Pradesh & Anr.*, reported in **2021 AIR SC 140**, the Apex Court has observed that “*the complainant was very much capable of understanding the consequences of her action and if the relationship is not working out, the same cannot be ground for lodging an F.I.R for the offence under Section 376 of I.P.C*”

7. In the above facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today,



on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada, in connection with Warsaliganj P.S. Case No. 535 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

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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