

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21576 of 2025

Arising Out of PS. Case No.-484 Year-2024 Thana- TRIVENIGANJ District- Supaul

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ALOK KUMAR @ AALOK KUMAR, S/o Rajendra Sardar, R/o of Village-
Balwa, Ward No. 9, P.S.- Shankarpur, District- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjit Kumar Singh, Advocate
For the State : Mr. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Triveniganj P.S. Case No. 484 of 2024, dated
21.11.2024, registered for the offences punishable under
Sections 69, 316 (2) and 3 (5) of the Bharatiya Nyaya Sanhita,
2023.

3. As per allegation, there was marriage negotiation
between family of the accused and the alleged victim for
marriage between accused/petitioner and the alleged victim i.e.
the daughter of the informant and marriage was settled between
the two. However, the petitioner was avoiding *Sagai* ceremony
which is performed before marriage. However, the petitioner
kept on talking with the 25 year old daughter of the informant,



developed intimacy and established physical relationship with her but neither *Sagai* ceremony was performed, nor marriage was solemnized.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case.

5. He further submits that as a matter of fact the petitioner is a government teacher and he has falsely been implicated in this case to put pressure on him so that he may marry the daughter of the informant.

6. He further submits that even as per the statement of the alleged victim, who is 25 years of age and is student of M.A. has given statement under Section 183 of B.N.S.S. (Section 164 Cr.PC) to the effect that her marriage with the petitioner was settled. However, *sagai* ceremony was avoided on some grounds, but talk between her and the petitioner started and continued and love developed between them and both of them started liking each other. As per further statement, she is living at Triveniganj taking a room on rent where the petitioner used to come to see her and she used to live with him like husband and he used to satisfy her desire by establishing physical relationship and he used to say her that marriage will be solemnized



with her and for about one year he lived with her like husband but he has betrayed her by not marrying her.

7. Hence, learned counsel for the petitioner submits that even as per the statement of the alleged victim who is 25 years of age and well educated, the physical relationship, if any, was established on account of mutual consent and desire of the alleged victim and that has continued for one year. In such situation, it is hard to believe that such a matured and educated lady will have physical relationship with the petitioner for one long year on such promise.

8. As a matter of fact there was no marriage negotiation between the two sides and there was no relationship of the petitioner with the alleged victim. This false case has been lodged by the informant against the petitioner only to force the petitioner to marry her daughter.

9. Learned counsel for the petitioner also submits that the petitioner is a government employee, and in case, the anticipatory bail is denied to the petitioner, his career would be ruined for his no fault.

10. It is also stated in paragraph No. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.



11. It has further been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

12. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

13. Considering the age and education of the alleged victim and the period of one year of alleged physical relationship as well as the petitioner being a Government employee, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court below, in connection with Triveniganj P.S. Case No. 484 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the



same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

Ramesh,S.Ali/-

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