

Arising Out of PS. Case No.-156 Year-2024 Thana- NAUHATTA District- Rohtas

... .. Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

2 30-04-2025 Heard Mr. Bhaskar Shankar, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with Nauhatta P.S.Case No.156 of 2024, registered for the offences punishable under Sections 64, 61(2), 352, 351(2) of BNS.

3. As per the allegation made in the FIR, the petitioner on the pretext of getting married with the informant committed wrong with her.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner has been falsely implicated in the present case.



5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation as alleged against the petitioner and it is admitted by the informant that she had established physical relationship outside the marriage and when the petitioner refused to get married with her, the present case has been lodged. Law in this regard is well settled 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*, in which 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. The petitioner 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.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Dehri, Rohtas/concerned court, in connection with Nauhatta P.S.Case No.156 of 2024, subject to conditions



as laid down under Section 482(2) of BNSS of 2023

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)

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