

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25233 of 2025

Arising Out of PS. Case No.-17 Year-2024 Thana- MAHILA P.S. District- Araria

Lalan Paswan @ Lalan Kumar S/O Surendra Paswan Resident of Village-
Parwaha, Ward No.- 07, Police Station- Balua, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Ramesh Kumar Singh, Advocate Mr. Kumar Rajdeep, Advocate
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Mahila P.S. Case No. 17 of 2024, dated
22.03.2024, registered for the offences punishable under
Sections 376, 417 and 506/34 of the Indian Penal Code and
Section 4 of D.P. Act.

3. As per allegation, the accused-petitioner was
establishing physical relationship with the informant/victim for
the last two years with promise to marry her. However, on the
occasion of marriage, there was demand of Rs. 2 lac towards
dowry and on account of non-fulfillment of the same, marriage
could not be solemnized.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner and the informant/victim are major and it is not believable that the alleged victim can establish physical relationship continuously for two years on promise of marriage. As a matter of fact, it appears that the physical relationship between the alleged victim and the petitioner, if any, was consensual and on account of the relationship between the two turning sour, this false FIR has been lodged.

5. 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.

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

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

8. Considering the fact that physical relationship between the informant and the petitioner was for two years making the Court hard to believe that the informant was under misconception of fact regarding promise of marriage, **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 learned concerned Court Below, in connection with Mahila P.S. Case No. 17 of 2024, subject to the conditions as laid down under Section 482 (2) of the 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.)

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