

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31966 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Munna Hussain S/o Mohammad Hussain Resident of Village- Sisai, P.S.-
Baikunthpur, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rina Sinha, Adv.

Mr. Dharendra Pd. Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for
offence under Sections 376, 506 and 34 of the Indian Penal
Code.

3. It is alleged that this petitioner, on false promise of
marriage, established physical relation with informant resulted
in her pregnancy. On 07.04.2024, this petitioner again took her
to Chennai after she got married to one Akhilesh Kumar Singh,
but again left her and threatened not to disclose the ordeal to any
one.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. The



relationship was consensual. Both parties were major. They enjoyed each others company for several months and indulged in sexual act, which cannot be said to be induced or involuntarily. The informant was very much capable of understanding the consequences of her action and simply because the relationship could not work out, it will not give rise to institution of F.I.R. for the offence punishable under Section 376 of the Indian Penal Code. Petitioner has got clean antecedent and is in custody since 21.12.2024.

5. Learned A.P.P. for the State vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case No. 274 of 2024.

(Prabhat Kumar Singh, J)

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