

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39353 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- JAMHOR District- Aurangabad

Prakash Kumar S/o Binod Chaudhary Village- Shivnath Tola, PS- Piro,
District- Bhojpur (Arra) Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 69 of the BNS Act.

3. The case of the prosecution is that the informant was on talking terms with the petitioner, which subsequently developed into a relationship. It is further alleged that the petitioner established physical relations with the informant for the first time on the false pretext of marriage. It is further alleged that on 20.03.2025, she went to Sasaram with the petitioner and from there she went to the house of the petitioner at Shivnath Tolla. There, he established physical relation with the informant regularly basis and when the informant compelled for marriage, the petitioner refused.

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



connection with the present case. It is further submitted that admittedly, the informant is a major and from a bare perusal of the FIR itself, it is clear that both parties were in consensual relationship. It is further submitted that the FIR has been lodged only with a view to pressurize the petitioner into solemnizing marriage. It is further submitted that no medical examination of the informant has been conducted. Moreover, the petitioner is languishing in judicial custody since 25.03.2025 having no criminal antecedent.

5. Learned APP appearing for the State concede to the argument of the learned counsel for the petitioner stating that there is consensual relationship between two majors.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Jamhore P.S. Case No. 81 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VII, Aurangabad.

(Ashok Kumar Pandey, J)

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