

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39928 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- AMARPUR District- Banka

Manoj Thakur @ Manoj Kr. Thakur, aged 27 years, male, S/o Sudin Thakur
R/o Village- Letwa, Police Station- Fullidumar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody in a case registered for the
offence under Sections 64(1) of the B.N.S.

3. As per the prosecution case, it is alleged that the
petitioner forcibly made physical relation with the informant
and when the informant tried to protest, he fled from there
leaving her alone after which informant told the entire incidence
to her husband and lodged this case against the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that the relation between the petitioner
and victim is of Dewar and Bhabhi and victim is a major and



married lady and when her husband seen both of them in objectionable condition then the present case has been lodged. He next submits that during investigation, several independent witnesses stated that there was love affair between the petitioner and for several time the villagers have seen the victim and the petitioner alone in objectionable condition, which is also evident from para-64, 65 and 66 of the case diary. He next submits that as both the parties belong to the same family, the matter has been compromised after interference of the family members and a joint compromise petition has been filed before the learned Court below as Annexure-2. He next submits that petitioner is in custody since 03.03.2025 and has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of First Information Report, case diary and impugned order dated 15.05.2025, it appears that there was love affair between the parties and a joint compromise petition has been filed before the learned Chief Judicial Magistrate, Banka and there is no criminal antecedent against the petitioner. So, considering all aspects of the case and submission made by learned counsel for the petitioner, let the above named petitioner



be released on bail, on his furnishing bail bonds of Rs.10,000/-
(Ten thousand) with two sureties of the like amount each to the
satisfaction of learned Chief Judicial Magistrate,
Banka/Successor Court, Banka in connection with Amarpur
(Fullidumar) P.S. Case No.138 of 2025.

(Ramesh Chand Malviya, J)

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