

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41656 of 2025

Arising Out of PS. Case No.-123 Year-2025 Thana- NAANPUR District- Sitamarhi

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Ram Pravesh Roy S/o Shivshankar Roy Resident Of Village- Kurhar Ward No
13, P.S.- Bokhra, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Sanjay Kumar, Advocate Mr. Kumar Rajdeep, Advocate Ms. Diksha Kumari, Advocate
For the State	:	Mr. Syed Ehteshamuddin, APP
For the Informant	:	Mr. Pushpendra Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-09-2025 Heard learned senior counsel appearing on behalf of

the petitioner, learned APP appearing on behalf of the State and

learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case

registered for the offence punishable under Sections 126(2),

127(2), 78, 64, 352 and 351(2) of the B.N.S..

3. As per prosecution case, it is alleged that while the

informant was going to school, in the meantime, this petitioner,

on the point of pistol, boarded her on his motorcycle, took her to



a room at Sitamarhi, committed rape upon the informant and also took some objectionable photographs. It is alleged that the petitioner committed the offence several times. It is further alleged that on 08.03.2025 at about 3 PM, this petitioner, along with four other unknown persons, came at the school of informant and threatened her to upload her obscene pictures.

4. It is submitted by learned senior counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. The entire prosecution case, as set out in the F.I.R., is out and out false, fabricated and concocted. As a matter of fact, both parties were co-villagers and with the passage of time, relationship developed. At the time when the relationship developed, both of them were major and were fully aware of the consequences of such a relationship. The relationship was consensual between two consenting adults and both of them enjoyed each others company for five long years. It is further submitted that only because the relationship could not continue and failed, the same does not amount to rape. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State and



learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that on the point of pistol, he committed rape upon the informant, took her obscene photographs and continued to commit the offence on the threat of making the photographs viral. The victim in her statement recorded under Section 183 of the B.N.S.S. has supported the prosecution case.

6. Considering the rival submissions advanced on behalf of learned counsel for the parties and the fact that from bare perusal of the prosecution case it is apparent that at the time when the relationship developed between the parties, both of them were major and enjoyed each others' company for five long years and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 District and Additional



Sessions Judge-IV-cum-Exclusive Special Judge (Rape and
POCSO Act), Sitamarhi in connection with Nanpur P.S. Case
No. 123 of 2025, subject to condition as laid down under
Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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