

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41192 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- MAHILA P.S. District- Vaishali

Kishore Kundan Singh @ Kishore Kundan, S/o Chitranjan Singh @
Chitranjan Prasad Singh, R/o Village - Ramray, Sirsa, P.S.- Lalganj, District-
Vaishali

... .. Petitioner

Versus

1. The State of Bihar.
2. X, D/o Jay Kumar Singh, Hanshi Malahi Bhagwanpur, P.S.-Vaishali, Dist-
Vaishali

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 10-11-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and

apprehending his arrest in connection with Mahila P.S. Case

No.16 of 2025 registered under Sections 376, 354, 354-C

and 509 of the Indian Penal Code.

3. As per FIR, the petitioner developed love affairs

with informant, who is 24 years old and subsequently,

established physical relationship with the informant on false

pretext of marriage. It is also alleged that the petitioner was

in live-in relation with several other girls and finally, he denied



to marry informant.

4. It is submitted by learned counsel appearing for the petitioner that informant is a 24 years old girl and she was in relation with petitioner since last four years of lodging the present FIR. It is submitted that due to certain social and family reasons, when the marriage of petitioner with informant could not finalized, the present false implication was raised. It is submitted that the corporeal relationship under false pretext of marriage cannot be termed as rape and in support of his submission, learned counsel has relied upon legal report of Hon'ble Supreme Court as available through **Pramod Suryabhan Pawar vs. State of Maharashtra and Anr. [(2019) 9 SCC 608]**. The petitioner claimed clean antecedent.

5. Learned APP has opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as *prima facie* allegation of rape appears to be raised against petitioner on false pretext of marriage, where admittedly, as per FIR, the informant appears to live-in relation with petitioner prior to lodging of the present FIR,



accordingly, the petitioner, above-named, who is a man of clean antecedent, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur in connection with Mahila P.S. Case No.16 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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