

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39799 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- MAHILA P.S District- West Champaran

Pintu Uraon Budhu Uraon @ Budhu Uraw R/o Village- Kataha Belahwa,
P.S.- Semra, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Nityanand Tiwari, APP
For the Informant	:	Mr. Prithvi Nath Mishra, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 03-09-2025 Heard Mr. Krishna Kumar Singh, learned counsel for the petitioner; Mr. Nityanand Tiwari, learned APP for the State and Mr. Prithvi Nath Mishra, learned counsel for the informant.

2. The petitioner seeks bail in connection with Mahila (Bagaha) P.S. Case No. 17 of 2025 instituted for the offences under Sections 126(2), 115, 64, 69, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Accusation against the petitioner is of establishing physical relationship with the victim girl on the pretext of marriage.

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



present case. Learned counsel further submitted that, as a matter of fact, the victim and petitioner have love affair and this petitioner never established physical relationship with the victim on the false promise of marriage, and the petitioner is even ready to solemnize marriage with the victim if he is released on bail. Learned counsel further submitted that victim is major and she, in her statement recorded under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023 has stated that she was in touch with the petitioner on her own sweet will and this petitioner never gave any compulsion or threat to her. Learned counsel further submitted that the present case is the case of consensual relationship and such type of sexual activity does not amount to rape as has been held in plethora of judgments passed by Hon'ble the Apex Court. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.04.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no material against the petitioner in Section 183 BNSS statement of the victim as also the period of



custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahila (Bagaha) P.S. Case No. 17 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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