

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43351 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- Vasudevpur District- Munger

Amit Raj, S/o Anil Kumar, R/o Village-Madhampur, P.S.- Basudeopur, District-Munger

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Raghav Prasad, Advocate
For the Opposite Party/s	:	Mr. Anish Chandra, APP
For the Informant	:	Mr. Shashi Saurabh, Advocate
		Ms. Puja Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 10-11-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State duly assisted by learned counsel appearing for the informant.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Basudeopur P.S. Case No.10 of 2025 registered under Sections 126(2), 115(2), 69, 64, 352, 351(2) (3) read with 3(5) of the Bhartiya Nyaya Sanhita as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. As per FIR, the petitioner developed love affairs with informant, and subsequently, established physical relationship with the informant on false pretext of marriage.



4. It is submitted by learned counsel appearing for the petitioner that informant was in relation with petitioner since 2019. 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 duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that still the petitioner is cheating the informant. It is submitted that informant is still desirous to marry petitioner.

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



relation with petitioner since 2019, 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., Munger in connection with Basudeopur P.S. Case No.10 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.)

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