

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40999 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- BISHANPUR District- Darbhanga

Bharat Kumar Mishra S/O Shyam Sundar Mishra @ Saheb Mishra Resident
of Village- Rampurdiah (Rampurdih), Police Station- Bishanpur, District-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate
For the State : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 10-09-2025 Heard learned counsel for the petitioner; learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with
Bishanpur P.S. Case No. 34 of 2025 registered for the offence
punishable under Sections 64(1) of the Bharatiya Nyaya
Sanhita.

3. The petitioner is accused of committing rape with
the victim.

4. The petitioner is in custody since 28.03.2025.

5. Learned counsel for the petitioner submits that it
has come during investigation that the petitioner and the victim
were in a relationship and it is not a case of rape.

6. Learned counsel for the State and the informant



have vehemently opposed the prayer for bail.

7. From the reading of the FIR and other materials, it appears to be a case of consensual sex.

8. Considering the aforesaid, this application is allowed.

9. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Darbhanga in connection with Bishanpur P.S. Case No. 34 of 2025.

(Sandeep Kumar, J)

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