

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47164 of 2025

Arising Out of PS. Case No.-155 Year-2025 Thana- PARSABAZAR District- Patna

Golu Kumar S/o Shivnandan Mistri R/o Village- Budhgraya, P.S.- Bajirganj,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate
Mr. Kumar Rajeev, Advocate
Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Parsa Bazar P.S. Case No. 155 of 2025 registered for the offences under Sections 69 and 88 of the BNS.

3. As per prosecution case, petitioner has been in continuous relationship with the informant for 5 years giving her allurements of marriage. Earlier when the informant became pregnant, the petitioner administered her some medicine causing miscarriage.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Prosecution story is not believable that the petitioner has been exploiting the informant for 5 years and she never raised any objection. Petitioner is aged



about 19 years old and if the story of the informant is believed that she was in relationship with the petitioner for 5 years, that means the informant was having relationship with a boy of 14 years and this fact could be contrasted with the age of the informant as her date of birth is 15.01.2000. This shows the petitioner did not exploit the informant rather it was the informant who has been exploiting the petitioner. Learned counsel further submits that moreover considering the statement of the informant, it indicates a consensual relationship with them. Further, no material has been produced by the informant to support her claim. Petitioner is in custody since 18.04.2025 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that petitioner induced the informant in establishing physical relationship on pretext of solemnizing marriage with her but subsequently resiled.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the consensual nature of act of the informant and further considering the age of the informant who appears to be elder to the petitioner and also considering the period of custody of the



petitioner along with his clean antecedent and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna/concerned court in connection with Parsa Bazar P.S. Case No. 155 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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