

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45776 of 2025

Arising Out of PS. Case No.-175 Year-2024 Thana- CHHATAPUR District- Supaul

Rupesh Kumar S/O Yogendra Das R/O Village-Parsa Birbal, Ward no. 14, PS-Pratapganj, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-07-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 376, 496, 506/34 of the Indian Penal Code.

3. As per F.I.R., when informant used to live at her maternal grandparents' house, this petitioner established physical relation with her on pretext of marriage. On the insistence of informant, petitioner solemnized marriage with her but later on, family members of the petitioner started demanding dowry from the informant and ousted her from the matrimonial house.

4. Learned counsel for the petitioner contends that entire case as set out in the F.I.R. is false and concocted. F.I.R. depicts that when relationship developed between the parties,



victim was major and she was fully conscious of consequences of the intimate relationship which flourished between her and the petitioner for months together. Repeated intimacy and sexual relation is consensual in nature and not established under any false promise, threat or coercion. As a matter of fact, it is a case of prolonged love affair between two consenting adults which has been given colour of forcible sexual intercourse with oblique purpose and motive. It is only when the relationship went sore, it culminated into F.I.R. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate V, Supaul in connection with Chhatapur P. S. Case No. 175 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,



2023.

(Prabhat Kumar Singh, J)

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