

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50975 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- Fekla District- Darbhanga

Rahul Ram @ Rahul Kumar Ram @ Rahul Kumar S/O Late Suraj Ram
Resident of Village- Godhiya, PS- Fekla, Distt-Darbhangha

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Iqbal Asif Niazi, Adv.
For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and Mrs.

Renu Kumari, learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Fekla P.S. Case No. 36 of 2025 instituted for the offences under Sections 126(2), 115(2), 352, 351(2), 74, 84, 3(5) and subsequently added Section 64 of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the informant was living with the petitioner in relationship for the last six years and performed marriage with her on 16.04.2025. It is alleged that on 18.04.2025, the informant came to know that the petitioner is going to perform his marriage again with one Jyoti Kumari. Thereafter, the informant went to the house of the petitioner



where she was abused, assaulted as also ousted her from their house by the petitioner and his family members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to enmity and personal grudge. It is further submitted that from the F.I.R. itself, the informant was in relationship with the petitioner on her own volition since last six years but, there was no complaint whatsoever at any point of time rather the present case was lodged after such a long time that too with some ulterior motives. It is further submitted that as a matter of fact, the informant is a legally wedded wife of one Sudhir Ram. He further submits that the informant in her statement recorded under Section 180 of the B.N.S.S. has stated that she voluntarily separated from her husband Sudhir Ram and, she on her own volition and free will, entered into and continued in living relationship with the petitioner. The petitioner never married with the informant nor ever resides in rented house in living relationship with the informant. Learned counsel for the petitioner further submits that a joint compromise petition dated 23.05.2025 has also been executed by both the parties and was filed in the concerned court below. The petitioner has no



criminal antecedent and is languishing in judicial custody since 06.06.2025 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also taking into account that the informant/victim is major and there was a consensual relationship between both the parties, let the petitioner, abovenamed, be released on bail, ***after framing of charge if not already framed***, 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 Fekla P.S. Case No. 36 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the



Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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