

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49193 of 2025

Arising Out of PS. Case No.-231 Year-2025 Thana- BANKA District- Banka

Vikram Vikash son of Late Bipin Sah @ Upendra Prasad Sah village- Jail Ke Pichhe (Back of The Jail), Ward no. 14, Banka, Ps and Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari Daughter of Late Ranjit Pd. Bhagat Resident of Amarpur, Ps- Amarpur, Dist- Banka, At P/A- Resident of Mohalla- Bijaynagar (At chowk), Banka, PS and Dist- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 126(2), 115(2), 69, 318(4) of the B.N.S., 2023.

3. It is alleged that on the pretext of marriage, this petitioner established physical relation with the victim (informant) and thereafter, refused to marry.

4. Learned counsel for the petitioner submits that from perusal of the F.I.R., it is apparent that both parties are major and they were in relationship for seven years. They enjoyed each others company and indulged in sexual act, which



cannot be said to be induced or involuntarily. The relationship was consensual. The informant was very much capable of understanding the consequences of her action and simply because the relationship could not work out, it will not give rise to institution of F.I.R. under Section 69 of B.N.S. (i.e. Section 376 of I.P.C.). Petitioner claims clean antecedent.

5. Learned counsel for the informant vehemently opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Banka P.S. Case No. 231 of 2025 (G.R. No. 1820 of 2025), subject to condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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