

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50269 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- MAHILA P.S. District- Sitamarhi

Vikash Kumar @ Vikash Vyahut Son of Vishwanath Prasad Resident of
Village - Ram Nagara, P.S.- Riga, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Madhubala Verma, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. The petitioner apprehends his arrest in a case registered for offence under Sections 376, 504/34 of the Indian Penal Code and Sections 66(E), 67, 67(A) of I.T.Act.

3. It is alleged that on the false promise of marriage, this petitioner established physical relation with the informant and thereafter, refused to marry her. It is further alleged that this petitioner posted some nude photo of informant on social media.

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 quiet some time. They enjoyed each others company for several months 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. for the offence under Section 376 of the Indian Penal Code. During course of investigation, it has not come anywhere that this petitioner has made viral the alleged nude pictures of informant. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State 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 S.D.J.M. (Sadar), Sitamarhi in connection with Mahila P.S. Case No. 20 of 2025, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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