

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49815 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- MAHILA PS District- Buxar

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Shani Kumar @ Shani Kumar Nat S/o Malai Nat @ Jhalaku Nat R/o Vill-
Kochadhi, P.S.- Rajpur, Distt- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o Nantu Nat R/o Vill- SK Baradhi, P.S.- Dinara, Distt- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Amit Kumar Pandey, Adv.
For the Opposite Party/s :	Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2025 Heard Mr. Amit Kumar Pandey, learned counsel for
the petitioner, Mr. Arvind Kumar Pradhan representing the
informant and Mr. Bharat Bhushan, learned APP.

2. The petitioner is in custody in connection with Buxar
(Mahila) P.S. Case No. 22 of 2025 for the offence punishable
under sections 69, 351(2), 3(5) of the BNS.

3. As per the prosecution story, the lady alleged that she
used to talk with the petitioner and on the promise of marriage,
they went to Buxar, took food in a restaurant and later, after
establishing physical relationship, to procure marriage materials,
he escaped. As she could not contact him despite repeated efforts,
along with family members, lodged the FIR.

4. Learned counsel for the petitioner submits that both



are adult, the allegation of rape is not there, it has been alleged that on the promise of marriage, established physical relationship which shows that it was a consented one.

5. FIR is there, he shall ensure to diligently appear in trial and under no circumstance, shall threaten either the girl and/or family members and if it is found, he is ready to face the consequences.

5. Learned counsel for the informant submits that repeatedly, he established physical relationship on the pretext of marriage and later, also threatened of dire consequences.

6. Considering the submissions of the parties as also that the petitioner is 20 years old, he is in custody since 08.05.2025, has no criminal antecedent, FIR is there, he shall be facing the trial, an undertaking has been given that he shall not come in contact with the girl/family members, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. It is made clear that if it is found that he/family members in any way tried to threaten the girl/family members, will have to face the consequences including the cancellation of the bail.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of



like amount each to the satisfaction of learned SDJM, Buxar in connection with Buxar (Mahila) P.S. Case No. 22 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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