

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50907 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- NAUHATTA District- Saharsa

Abdur Rab @ Nanhu S/o Late Shamim Ahamd R/o Village- Nauhatta Ward
No. 11, P.S.- Nauhatta, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Roshan Begum Wife of Late Md. Rizwan Resident of Village - Nauhatta,
Ward no. 11, P.O. and P.S.- Nauhatta, Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Harun Quareshi

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-11-2025 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

2. The petitioner apprehends his arrest in
connection with Nauhatta P.S. Case No. 29 of 2025 registered
for the offence under Sections 69 of the BNS.

3. As per the prosecution case, the petitioner is
accused of establishing physical relationship with the informant
on the promise of marriage and subsequently he has resiled from
that promise.

4. It has been submitted by the learned counsel for
the petitioner that the petitioner is innocent and he has falsely
been implicated in this case.



5. From the reading of the FIR, it appears to be a case of consensual sex between two consenting adults and they maintained their relationship for a long time.

6. Considering the aforesaid facts and in view of the judgment of the Hon'ble Supreme Court in the case of ***Amol Bhagwan Nehul Vs. State of Maharashtra and Anr.*** reported in ***(2025) SCC OnLine SC 1230***, this application is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa/concerned Court below in connection with Nauhatta P.S. Case No. 29 of 2025, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

(Sandeep Kumar, J)

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