

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50400 of 2025

Arising Out of PS. Case No.-423 Year-2024 Thana- PUPRI District- Sitamarhi

=====

Dhiraj Kumar @ Bablu Mandal Son of Naresh Mandal Resident of Chakasa District -Sitamarhi PS- Purpi State -Bihar

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Sita Devi Wife of Shree Dhaneshwar Mandal Resident of Chakasa District -Sitamarhi PS- Purpi State -Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. Petitioner apprehends his arrest in a case registered for the offence punishable under sections 376, 420, 504, 506 and 34 of the Indian Penal Code .

3 . The prosecution case , in brief, is that daughter of the informant was in longstanding relationship with the petitioner, who allegedly promised to marry her. Based on the said promise , daughter of the informant entered into physical relationship with the petitioner. Relationship lasted for several months and thereafter, petitioner and other accused persons started demanding dowry and later on this petitioner refused to



marry her.

4. Learned counsel for the petitioner submits that prosecution case set out in the F.I.R. is false and concocted. The daughter of the informant was major and was conscious of all consequences of intimate relationship which continued for several months. The act of repeated intimacy and sexual relationship was totally consensual in nature and was not established under any false promise, threat or coercion. He further submits that it is a case of long voluntary love affair between two consenting adults which had been given a colour of forcibly sexual intercourse with oblique purpose and motive. During investigation, daughter of the informant herself claimed to be 20 years. Petitioner claims clean antecedent.

5. Learned counsel for the State and informant opposed the bail petition of the petitioner.

6. Considering the fact that both the parties were major when the relationship developed between them and informant was well aware of such relationship and its consequences and as such, the same will not amount to any criminal offence, in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be enlarged 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 District and Additional Sessions Judge – IV- Cum – Exclusive Special Judge (Rape and POCSO), Sitamarhi in connection with Pupri P.S. case No. 423 of 2024, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

Koushik/-

U		T	
---	--	---	--

