

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51604 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- BIRPUR District- Supaul

Raj Kumar Mehta @ Rajkumar Mehta @ Raj Kumar Son of Yoganand Mehta
Resident of Village - Banailipatti, Ward No.- 01, Police Station - Birpur,
District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Anwar, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 20-08-2025 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 376, 354(B), 323, 504 of the Indian Penal Code of the Sections 3/4 of the Dowry Prohibition Act.
3. As per F.I.R., informant alleged that on false promise of marriage, this petitioner established physical relation with the informant and thereafter, refused to marry.
4. Learned counsel for the petitioner submits that entire case as set out in the F.I.R. is false and concocted. Informant was major when the relationship developed between the parties and was fully aware of the consequences of such relationship which continued for more than three years. He further submits that acts of repeated intimacy and sexual relationship was consensual in nature and was not established



under any false promise, threat or coercion and such, the same cannot be said to be induced or involuntary. As a matter of fact, it is a case of prolonged love affair between two consenting adults which has been given a colour of forcible sexual intercourse with oblique purpose and motive. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the backdrop of the case, nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 Sub-Divisional Judicial Magistrate, Birpur, Supaul in connection with Birpur P. S. Case No. 34 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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