

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51036 of 2025**

Arising Out of PS. Case No.-36 Year-2025 Thana- DHANKUND District- Banka

Md. Mokim S/O Md. Chhango R/O Village- Baliyas, P.S.- Dhankund, Distt.-  
Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate  
For the Opposite Party/s : Mr. N.N. Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      15-10-2025              Heard Mr. Davendra Kumar Pandey, learned counsel for  
the petitioner and Mr. N.N. Tiwary, learned APP for the State.

2.      The petitioner seeks bail in connection with  
Dhankund P.S. Case No. 36 of 2025 instituted for the offence  
under Sections 69 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3.      Prosecution case, in a nutshell, is that petitioner  
was establishing physical relationship with the informant since  
last two years on the false pretext of marriage.

4.      It has been submitted on behalf of the petitioner  
that the petitioner is in custody since 07.04.2025. Petitioner  
bears no criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is delay of six days in lodging the FIR. From perusal of the FIR, it would manifest that petitioner and informant, who is a major girl, were in love affairs since last two years and made physical relationship. Hence, the sexual relationship so established was with consent of both the parties. Doctor has not found any spermatozoa or any external or internal injury on the body of the victim, as per medical report. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, since victim is major and she was in love affairs with the petitioner for the last two years and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhankund P.S. Case



No. 36 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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