

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58141 of 2025

Arising Out of PS. Case No.-198 Year-2025 Thana- DURGAWATI District- Kaimur (Bhabua)

Rakesh Kumar S/o Awadhesh Ram @ Awadh Ram R/o Village- Awarihan,
P.S.- Durgawati, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Uday Pratap Singh, Adv.
For the State	:	Md. Mushtaque Alam, APP
For the Informant	:	Mr. Randhir Kumar No.I, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 69, 351(2), 352, 3(5) of B.N.S., 2023.

3. It is alleged that on the false promise of marriage, this petitioner established physical relation with informant several times and subsequently, refused to marry her and also threatened her with dire consequences.

4. Learned counsel for the petitioner submits that from perusal of the F.I.R., it is apparent that both parties were major and they were in relationship for quiet some time. They enjoyed each others company for several months and indulged



in sexual act, which cannot be said to be induced or involuntarily. The relationship was consensual. The informant was very much capable of understanding the consequences of her action and simply because the relationship could not work out, it will not give rise to institution of F.I.R. for the offence under Section 69 of the B.N.S.S., 2023. Petitioner claims clean antecedent.

5. Learned counsel for the informant vehemently opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Mohania, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 198 of 2025, subject to condition as laid down under Section 482 of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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