

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58960 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- MAHILA PS District- Jehanabad

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Nishant Kumar Son of Krishna Singh Resident of Village - Kowil, P.S.-
Islampur, District - Nalanda (Bihar) (Wrongly mentioned in the F.I.R. as P.S.
Nalanda, District - Jehanabad).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 10-09-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 64, 69,
126(2), 115(2), 352, 351(2), 303(2), 238 and 3(5) of the BNS,
2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that petitioner is PSO of learned CJM, Jehanabad and is
relative of her villager, as such, the petitioner used to come to
her house, it is next alleged that on pretext of marriage, the
petitioner established physical relation and later refused to



marry the informant, it is next alleged that on 16.03.2025, the accused persons came to her house and confined her in a room and deleted all conversation and photographs from her mobile and snatched her chain, earring and Rs. 5,000/-, thereafter the petitioner stopped meeting her, further on 18.03.2025, she came to the Civil Court where petitioner along with his brother Vikash and Santu abused and assaulted her.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the relationship between the petitioner and the informant, being major, was consensual and there was no promise of marriage as petitioner and the informant were aware of the fact that both are married from before. It is also submitted that informant had earlier instituted Complaint Case No. 194 of 2025 in the Court of learned CJM, Jehanabad against the petitioner and others, wherein she stated that she was married about seven years ago, but on account of differences with her husband, she separated. It is submitted that the informant had not obtained divorce from her first husband. It is next submitted that informant was aware of the fact that the relationship in between her and the petitioner cannot fructify in marriage for the reason that she has not obtained divorce and



petitioner is married from before. It is next submitted that allegation of assault, snatching of chain, money and deleting of photographs from mobile are exaggerated allegations. It is next submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jehanabad Mahila P.S. Case No. 29 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at



liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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