

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61632 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- MAHILA PS District- Darbhanga

Arzoo Khan S/O Sohail Khan R/O Vill/ Mohalla- Mahdauli, P.S.- Town,
Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 08-12-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for offences punishable under Sections 69, 351(2), 126(2), and 3(5) of the B.N.S., 2023.

3. As per the prosecution case, it is alleged that five years prior to filing the present case, petitioner along with four accused persons, came to the informant's house on the occasion of the marriage of the informant's cousin, and thereafter friendship developed between the parties. It is alleged that on the promise of marriage, the petitioner established physical relations with the informant, which continued for five years. Ultimately, the petitioner refused to solemnize the marriage and allegedly started demanding dowry, and upon her refusal, he



declined to marry the informant.

4. Learned counsel for the petitioner submits that from a bare perusal of the F.I.R., it appears that at the time the friendship developed, both parties were adults and the relationship continued for several years. At no point of time, the informant has made any complaint. Such a long relationship between two adults indicates that the relationship was consensual in nature and not result of inducement or seduction. During investigation, the victim declined to be examined by the Medical Board and the Court below has assessed the age of the victim as 25 years.

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

6. Considering the long relationship and conduct of parties, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest or surrender within a period of eight weeks from today, let the above-named petitioner 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 Sub-Divisional Judicial



Magistrate, Darbhanga, in connection with Mahila P.S. Case No.
46 of 2025, subject to the conditions laid down under Section
482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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