

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66064 of 2025

Arising Out of PS. Case No.-146 Year-2025 Thana- KATRA District- Muzaffarpur

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Akhilesh Kumar @ Akhilesh Kumar Ram S/o Bihari Ram R/o Village -
Anyaypur, P.S - Jajuaar, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjeela Kumari D/o Lalit Ram R/o Village - Krishn Nagar, P.S - Jajuaar,
District -Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv. Mr. Hans Lal Kumar, Adv.
For the Opposite Party/s	:	Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 28-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Katra

P.S. Case No. 146 of 2025 registered for the offence under

Sections 69 of BNSS.

3. The petitioner is named in the F.I.R. and is in

custody since 06.06.2025.

4. The allegation against the petitioner is to

establish physical relationship with informant aged about 20

years on false pretext of marriage.

5. Mr. Krishna Pd. Singh, learned senior counsel

appearing on behalf of the petitioner submitted that the

petitioner alleged to established physical relationship on false



pretext of marriage. It is submitted that corporal relationship on false pretext of marriage cannot be termed as rape. In support of his submission learned senior counsel relied upon the legal reports of Hon'ble Supreme Court as available through ***Pramod Suryabhan Pawar vs. State of Maharashtra and Anr.*** reported in ***(2019) 9 SCC 608*** and ***Ansaar Mohammad vs. State of Rajasthan*** reported in ***2022 SSC OnLine SC 886***. It is further submitted that though victim claimed that she becomes pregnant out of relations and by the time of lodging of FIR, was carrying four months' foetus but while recording her statement under Section 183 of BNSS, she disclosed nothing about her pregnancy status, raising a serious doubt qua entire implication of petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that



the thrust of allegation is available against this petitioner. It is submitted that out of nervousness the victim failed to disclose about her pregnancy status before learned Magistrate while recording her statement under Section 183 of BNSS.

7. In view of aforesaid factual submission and by taking note of fact of contradictory version of FIR that of statement of victim as discussed aforesaid, coupled with fact that investigation of this case is already completed, where petitioner remains in custody since 06.06.2025, accordingly petitioner above named, is directed to be released on bail in connection with Katra P.S. Case No. 146 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned JM 1st Class, (East) Muzaffarpur /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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