

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63041 of 2025

Arising Out of PS. Case No.-87 Year-2025 Thana- ROHTAS District- Rohtas

Alamgir Ansari S/o- Sabbir Ansari R/O Village- Nawadih Maszid More, P.O-
Amjhore, P.S- Rohtas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Rina Sinha, Adv
	:	Mr. Dharendra Prasad Sinha, Adv
For the Opposite Party/s	:	Mr. Umanath Mishra, APP
For the Informant	:	Mr. Deovind Kr. Singh, Adv
	:	Mr. Utpal Kaant, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-11-2025 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with Rohtas P.S. Case No. 87 of 2025 registered for the offences punishable under Sections 64 and 3(5) of the BNS.

3. The allegation against the petitioner is to establish physical relation with informant on false pretext of marriage aged about 22 years. It is also alleged that on stance of petitioner informant obtained divorce from her husband.

4. Learned counsel appearing on behalf of the petitioner submitted that as informant was not happy with her marital life, she obtained divorce. It is submitted that prior to her marriage informant was in love affair with this petitioner for two



years and when marriage of informant could not solemnize with this petitioner, after divorce present false implication was raised. It is submitted that corporeal relation on false pretext of marriage is not amounting to rape, in support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Pramod Suryabhan Pawar Vs. State of Maharashtra and Another [(2019) 9 SCC 608]**. While concluding the argument learned counsel submitted that petitioner is a man of clean antecedent and working as constable in Bihar Police.

5. Learned APP duly assisted by learned counsel for the informant, while opposing the prayer for anticipatory bail could not disputed aforesaid factual submission.

6. In view of aforesaid facts and circumstances and by taking note of the fact as primarily corporeal relation alleged to be established on the false pretext of marriage that too before marriage of informant, accordingly the petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Rohtas at Sasaram/concerned trial court where the



case is pending in connection with Rohtas P.S. Case No. 87 of
2025 subject to the conditions as laid down under Section 438(2)
of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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