

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62903 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- MAHILA P.S. District- Siwan

Reyaz Miyan @ Reyaj Ahmad S/o Afzal Miyan R/o Village- Baalchandra
Hata, P.S.- Siwan Muffasil, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. Kumari Anupam- Advocate
For the Opposite Party/s :	Mr. Rajendra Singh- A.P.P.
	Mr. Ravi Prakash Dwivedi- Advocate
	Mr. Sandeep Gupta- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-11-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on
behalf of the informant.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 115(2), 126(2), 69, 89, 61(2), 351(3), 3(5) of the
B.N.S.
3. The learned counsel for the petitioner submits
that the petitioner is a person with clean antecedent and in
sum and substance the informant alleges that petitioner on
false promise of marriage established physical relation.
4. The learned counsel for the petitioner submits



that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that petitioner promised to marry her and also established physical relation and thereafter brought her to his house and they stayed as husband and wife, but then, family members of the petitioner ousted her from their home. It is also alleged that on account of the relationship, she became pregnant, but then, the pregnancy was aborted. It is further submitted that informant herself alleges that she was in a relationship with the petitioner for the last four years. It is next submitted that there was no promise of marriage and the relationship was purely consensual between two consenting adults. It is next submitted that in order to give seriousness to the case, it is alleged that petitioner brought the informant to his house and they started living as husband and wife. It is submitted that it does not appear probable that parents of the informant would have allowed the informant to stay with the petitioner as wife when they were not married. It is also submitted that though there is an allegation that her



pregnancy was aborted, but then, the allegations are general and omnibus in nature as the FIR does not even remotely disclose the name of the medicine by which her pregnancy was terminated. It is next submitted that whenever such relationship becomes soured a false case alleging rape is instituted. It is also submitted that entire family members of the petitioner came to be implicated only with a view to coerce the petitioner into submission. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the relationship in between the petitioner and the informant was continuing for the last four years and the relationship was purely consensual.

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 Court below within a period of six weeks, is



directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Siwan in connection with Siwan Mahila P. S. Case No.18 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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