

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65002 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- MAHILA P.S. District- Patna

Nishant Shekher @ Hunny S/O Manoj Kumar Sharma Resident of Shahpur,
Danapur Cant, P.S.- Shahpur, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Daizy Deka D/O Maheshwar Deka R/O Chandmari, P.S.- Chandmari
(Guahati), Dist.- Guahati Central, Assam

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shivendra Prasad, Adv.
For the State	:	Mr. Syed Mojibur Rahman, APP
For the OP-2	:	Mr. Kamlesh Kumar, Adv.
		Ms. Kahkashan Alam, Adv.
		Mr. Santosh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 64, 351(2) & 3(5) of B.N.S., 2023.

3. It is alleged that on the false promise of marriage, this petitioner established physical relation with informant several times in different hotels and subsequently, refused to marry her and also threatened her with dire consequences.

4. Learned counsel for the petitioner submits that from perusal of the F.I.R., it is apparent that both parties were major and were in relationship for quiet some time. They enjoyed each others company for several years at different



places and indulged in sexual act, which cannot be said to be induced or involuntarily. The relationship was consensual. The informant was very much capable of understanding the consequences of her action and simply because the relationship could not work out, it will not give rise to institution of F.I.R. under the provision of B.N.S.S., 2023. Petitioner claims clean antecedent.

5. Learned counsel for the informant vehemently opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna / concerned Court in connection with Mahila P.S. Case No. 84 of 2025, subject to condition as laid down under Section 482 of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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