

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64773 of 2025**

Arising Out of PS. Case No.-578 Year-2024 Thana- JHAJHA District- Jamui

Sandeep Kumar @ Sandip Kumar, S/o Binod Prasad, R/o Village-Samaldih,  
P.S.- Sadgada, Dist.- Koderma, Jharkhand.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                    |   |                                                            |
|--------------------|---|------------------------------------------------------------|
| For the Petitioner | : | Mr. Sanjay Kumar Singh, Advocate<br>Ms. Ankita Kumari, APP |
| For the State      | : | Mr. Mithlesh Kumar Khare, Advocate                         |
| For the Informant  | : | Mr. Pramod Kumar, Advocate                                 |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      20-11-2025                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State duly assisted by learned counsel appearing for the informant.

2.The accused/petitioner seeks bail in connection with Jhajha P.S. Case No.578 of 2024 registered for the offences punishable under Sections 64(1), 318(4) and 61(2) of the Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is named in the FIR and is in custody since 09.05.2025.

4. Allegation against petitioner is to establish physical relationship with informant on false pretext of providing job, who subsequently



also alleged to marry the informant, who is a widow aged about 32 years.

5. It is submitted by learned counsel appearing for the petitioner that knowing the fact that petitioner is a married person and father of the children, the promise of marriage not appears convincing. It is pointed out that relationship was consensual in nature. It is also submitted that the allegation *qua* making the video viral is only to aggravate the allegation. While concluding argument, it is submitted that charge-sheet in this matter was submitted long back and thereafter, within two months, trial was not conclude, which is in complete defiance of the legal provisions as available under Section 349(1) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS'). In support of his submission, learned counsel has relied upon legal report of Hon'ble Supreme Court as available through **P. Ramachandra Rao vs. State of Karnataka [(2002) 4 SCC 578]**.

6. Learned APP duly assisted by Mr. Pramod Kumar, learned counsel appearing for the



informant while opposing the prayer of bail submitted that the allegation *qua* establishing physical relationship is specifically available against this petitioner. It is submitted that the physical relationship on first instance was established on false pretext of providing job, as informant is a widow and thereafter, when objection was raised by the informant, the petitioner solemnized notional marriage with informant by offering vermilion on her forehead.

7. In view of aforesaid factual and legal submissions and by taking note of fact as *prima facie* informant, who is a widow lady aged about 32 years appears aware about the marital status of petitioner, coupled with the fact that the compliance of timeline as provisioned under Section 346(1) of the BNSS appears not followed, where petitioner remains in custody since 09.05.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No.578 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the BNSS and with further conditions:-

(i) That petitioner shall not indulge in uploading of any alleged video after releasing on bail, failing which the State/Informant shall be at liberty to pray before the Trial Court itself for the cancellation of bail bond of the petitioner, which shall be decided after hearing the petitioner as per its own merit.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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