

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66151 of 2025

Arising Out of PS. Case No.-626 Year-2025 Thana- KATIHAR NAGAR District- Katihar

Manish Kumar Son of Pramod Poddar Resident Of Village -Jhajhari, Ps
-Gwalpada, Dist -Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Senior Advocate
		Mr. Amit Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Rajendra Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-09-2025 Heard Mr. Bindhyachal Singh, learned Senior Counsel

assisted by Mr. Amit Kumar Singh for the petitioner and learned

APP for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 69 of the
B.N.S., 2023.

3. The allegation in the first information report is that
the informant was sexually assaulted by the petitioner on the
assurance of marriage.

4. Learned Senior Counsel for the petitioner submits,
at the outset, that no offence under Section 69 of the B.N.S.
would be made out in the facts and circumstances of the present
case as even considering the tone and tenor of allegation, the



relationship between the petitioner and informant appears to be consensual. It has also been submitted that the informant is also a major and educated, hence, no plea of being allured etc. can be taken on her behalf. She has also admitted that she had got married to the petitioner, as would appear from the order of the learned Sessions Judge referring paragraph-23 of the case diary wherein she has produced photographs relating to her marriage with the petitioner. In such view of the matter that the marriage has already been held, no offence under Section 69 of the B.N.S., as has also been observed by the learned Sessions Judge, would be made out against the petitioner. Learned Senior Counsel for the petitioner has also submitted that the present FIR has also been lodged after a delay of about ten days as the last occurrence is said to have taken place on 18.06.2025 whereas the FIR has been lodged on 29.06.2025.

5. Learned APP opposes the grant of anticipatory bail to the petitioner.

6. Taking into consideration the facts aforesaid and also considering that the present case appears to arise out of a consensual relationship between two adults and subsequently marriage also having taken place, let petitioner, above named, who is a teacher by profession and has no criminal antecedent,



in the event of his arrest or surrender before the learned court below within a period of four weeks from today, be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Katihar (Town) P.S. Case No.626 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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