

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69017 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- MAHILA P.S. District- Bhagalpur

Gaurav Kumar Singh S/o Late Chandar Prasad Singh @ Chandar Singh R/o
Village- Murli, Ward No. 08, P.S.- Rangra, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Sanjay Kumar Tiwary, APP
For the Informant :	Mr. Parth Sarthy, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-09-2025 Heard Mr. Swapnil Kumar Singh, learned counsel for the petitioner, Mr. Sanjay Kumar Tiwary, learned Additional Public Prosecutor for the State and Mr. Parth Sarthy, learned counsel for the Informant

2. The petitioner is apprehending his arrest in connection with Mahila P.S. Case No. 21 of 2025, F.I.R. dated 17.04.2025 for the offences punishable under Sections 69/318(4) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, informant alleged that the petitioner used to make physical relation with her on false pretext of marriage.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. As per allegation in FIR, the petitioner made physical relation with the victim on false pretext of marriage. He further submits that the allegation as alleged in the FIR is false and fabricated and petitioner has not committed any offence as alleged in the FIR. From bare perusal of the FIR it appears that the victim is major and with her consent the petitioner made physical relation with her.

5. The learned Additional Public Prosecutor and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-Vth, Bhagalpur in connection with Mahila P.S. Case No. 21 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

- i. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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