

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69380 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Rahul Kumar, S/O Rajesh Gond, R/O Village- Dhavdar, P.S- Sasaram, District
- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-09-2025 Heard Mr. Sanjay Kumar Tiwary, learned counsel for
the petitioner, learned counsel for the informant and Mr.
Tapeswar Sharma, learned APP for the State.

2. The petitioner has prayed for bail in connection
with Mahila P.S. Case No. 20 of 2025 registered for the offence
punishable under Sections 376, 313, 504 and 34 of the Indian
Penal Code.

3. The case of the prosecution, in short, is that the
informant has gone in a marriage ceremony on 23.04.2024 at
village-Bahuan. There she met the petitioner. It is further alleged
that the petitioner proposed her to which she agree and on the
same day it is alleged that he established physical relationship
on a secluded place. The informant returned to her house on the
same day. It is further alleged that the petitioner called her in a



hotel and there also he established physical relationship with the informant. When the informant pressurized the petitioner for marriage, he denied. It is further alleged that petitioner established physical relationship with her at different places.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. During course of investigation, the victim has given her statement under Section 183 of the B.N.S.S. wherein she has stated that she was knowing the petitioner from last one year and they were also having physical relationship. The petitioner has promised her to marry after three years. She has further stated that she got pregnant due to the physical relationship and on the advise of this petitioner, she took medicines. She has further alleged that now the petitioner is not receiving her call and has stated that when he will come out of the jail he will marry her. From the statement of the victim itself it is clear that the relationship was consensual and physical relationship was also consensual. The case has only been filed as the petitioner is not receiving her call and his mother has denied to marry the petitioner with the informant. Petitioner is having no criminal antecedent and he is languishing in judicial custody since



01.07.2025.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the application for bail.

6. Having heard learned counsel for the parties and considering the fact that since it is a case of consensual relationship and in the given facts and circumstances of the case, no offence is made out against the petitioner, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Kaimur at Bhabhua in connection with Mahila P.S. Case No.20 of 2025.

(Ashok Kumar Pandey, J)

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