

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68885 of 2025

Arising Out of PS. Case No.-212 Year-2025 Thana- MOHANPUR District- Gaya

Pradip Sharma @ Pradip Kumar S/O Akhilesh Sharma @ Akhilesh Mistry
R/O Vill.- Ramdasha, P.S.- Mohanpur, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 02-12-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Mohanpur P.S. Case No. 212 of 2025 instituted for the offences under Sections 69, 89 of the Bharatiya Nyaya Sanhita, 2023.

3. Accusation against the petitioner is of establishing physical relationship with the informant/victim on the pretext of marriage.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that, as a matter of fact, there was love affair between the petitioner and the victim and the petitioner never forced victim to establish physical relations.



Learned counsel further submitted that from perusal of the FIR, it appears that victim is major and it is case of consensual relationship and this petitioner promised the victim to marry her. Learned counsel further submitted that police, after investigation submitted charge-sheet only under Section 69 of the Bharatiya Nyaya Sanhita, 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.06.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that the victim has supported the case in her statement recorded under Section 183 of the BNSS.

6. Considering the aforesaid facts and circumstances of the case, submission of the charge-sheet under the aforesaid sections as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mohanpur P.S. Case No. 212 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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