

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71222 of 2025

Arising Out of PS. Case No.-398 Year-2025 Thana- KOTWALI District- Patna

Raj Kumar Jaiswal S/o Mathura Prasad R/o Village- Teacher Colony, Raja Bazar, P.S.- Bihiya, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh, Advocate
	:	Mr. Rahul Kumar, Advocate
	:	Mr. Purshottam Kumar, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-10-2025 Heard Mrs. Vaishnavi Singh, learned counsel for the petitioner duly assisted by Mr. Rahul Kumar and Mr. Jitendra Kumar Singh, learned APP.

2. The petitioner is apprehending his arrest in connection with Kotwali P.S. Case No. 398 of 2025 registered for the offence under Section 69 of the B.N.S., lodged on 11.07.2025 by the informant, Neha Kumari.

3. As per the prosecution story, the informant alleged that she had friendship with this petitioner through facebook in the year 2020 and as they are also related, in the month of October 2024, they went to Patna and stayed in a hotel near the Station. The petitioner though committed to marriage, later backtracked and in between, had physical relationship several times. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that a



perusal of the F.I.R. would show that they became friends and had physical relationship which continued for sometime, the lady is 28 years old and had complete knowledge of what is happening around her, the petitioner has no criminal antecedent.

5. Learned APP opposes the prayer submitting that even if the physical relationship was made, it was under false promise of marriage which cannot be ignored.

6. Considering the submissions of the parties as also that while the petitioner is 30 years old, the victim lady is 28 years old, both being major had complete understanding of the relationship that they developed while visiting a hotel near the Station in the month of October 2024 which went beyond the friendship. The F.I.R. itself shows that she consented to visiting the hotel and had physical relationship whether it was mutual or a false promise was made, it is part of investigation and matter of trial. This petitioner has no criminal antecedent and it has been informed that now he is in service, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/-



(Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Kotwali P.S. Case No. 398 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

