

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75070 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- MAHILA P.S. District- Lakhisarai

Dharamveer Kumar Son of Saudagar Saw Resident of Vill- Balgudar, P.S.-
Lakhisarai, Distt.- Lakhisarai Petitioner/s

Versus

The State of Bihar, Patna Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogesh Chandra Verma, Sr. Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-11-2025 Heard Mr. Yogesh Chandra Verma, learned Senior
Counsel for the petitioner and the State.

2. The petitioner is apprehending arrest in connection with Mahila Lakhisarai P.S. Case No. 37 of 2025 instituted under Sections 126(2) [341 IPC), 115(2) [323 IPC], 69 [New Section], 352 [504 IPC], 3(5) [34 IPC] of the Bhartiya Nyaya Sanhita lodged on 28.05.2025 by the informant, Guriya Kumari.

3. As per the prosecution story, the informant alleged that she had intimate relationship with the petitioner and on false assurance of marriage, established physical relationship. The lady on 22.05.2025 upon an understanding moved out of the home alongwith cash, jewellery and clothes but her family members reached the lodge and both were taken to Pindrajaura Police Station. There, the petitioner gave in writing that he will be marrying the lady. Later, the allegation is that demand of dowry was made and further, she was abused. This followed the



FIR.

4. Learned Senior counsel for the petitioner submits that both are adult, the chat between the accused and the petitioner which has been attached with the present petition clearly shows that they had intimate relationship, knowing very well, they went into physical relationship, on this ground of *alibi* of marriage, FIR has been lodged, he has no criminal antecedent.

5. Learned APP opposes the prayer submitting that it was false promise of marriage.

6. Considering the submissions of the parties as also the materials on record, admittedly both are adult, they went into physical relationship, knowing well about the consequences. The allegation is there, he has no criminal antecedent, 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 his arrest or surrender before the subordinate court 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 the like amount each in connection with Mahila Lakhisarai P.S. Case No. 37 of 2025 to the satisfaction of learned Chief Judicial



Magistrate, Lakhisarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) 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;

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

(Rajiv Roy, J)

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