

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78452 of 2025

Arising Out of PS. Case No.-367 Year-2025 Thana- WAJIRGANJ District- Gaya

=====

Dharmendra Kumar Son of Naresh Yadav, R/o Village - Bhareti, Near Sabji
Mandi, P.S. - Wazirganj, Dist. - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pintu Kumar Patel, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Pintu Kumar Patel, learned counsel

appearing on behalf of the petitioner and Mr. Binod Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Wazirganj P.S. Case No. 367 of 2025 registered for the
offence(s) punishable under Section 69 of the BNS.

3. As per the allegation made in the FIR, the
informant has alleged that the petitioner was in live-in
relationship with her for the last five years on the pretext of
marriage, but now the petitioner without informing the
informant has decided to marry with another girl.

4. Learned counsel appearing on behalf of the
petitioner submitted that when the relationship developed
between both the parties, they were major. From perusal of the



FIR, it is apparent that both parties were in relationship for quite some time and enjoyed each other's company for years together and it cannot be said to be induced or involuntarily. The relationship was consensual. In this regard, he has placed reliance upon a judgment of the Apex Court in case of **Naim Ahmed Vs. State (NCT of Delhi)**, reported in **2023 SCC Online SC 89**.

5. Learned APP appearing on behalf of State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, it is evident that the informant has not denied that she was not in relationship with the petitioner and both the petitioner and informant are major and she has made allegation that on the pretext of marriage, they were in live-in relationship for five years. In light of law laid down by the Apex Court in case of **Naim Ahmed (Supra)**, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks



from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned JMFC, Gaya / Concerned Court in connection with Wazirganj P.S. Case No. 367 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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

