

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87149 of 2024

Arising Out of PS. Case No.-418 Year-2024 Thana- NALANDA COMPLAINT CASE
District- Nalanda

Akhilesh Kumar Son of Indu Chauhan Resident of Village - Kujja, P.S. - Sabhri, District- Nawada (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi D/o Late Chhotelal Chauhan Resident of Village - Korai, Beldariya, P.S. - Deepnagar, District - Nalanda (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shashank Chouhan, Adv
For the State:		Mr.Parmanand Prasad, APP
For the OP		Mr. Arjun Prasad, Adv

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 16-07-2025 Heard learned counsel for the petitioner and learned counsel for the OP.No.2 learned APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under sections 323, 341, 504, 354, 354A, 354B, 406, 376A of the Indian Penal Code.

3. The allegation in the complaint petition is that the petitioner had established physical relationship with the complainant for a period of six years on a pretext of marriage and also help her economically. However, the petitioner took money from the complainant and did not marry her.

4. Learned counsel for the petitioner submits that the petitioner is a young student aged about 22 years and the complainant is already married woman aged about 34 years and hence, it is totally out of question that the relationship if any,



which was being established between them was on the pretext of marriage. Further, it has also been submitted that a misconception of fact that a person is being lured for marriage cannot go on for a period of six years. It is next submitted that it was consensual relationship between a lady and a boy and the lady, at least, was an adult if not the petitioner.

5. The learned counsel for the O.P.No. 2 however opposes the prayer for bail on the ground that the complainant was sexually exploited on the pretext of marriage.

6. Considering all the above mentioned facts and circumstances, let in the event of his arrest/ surrender within a period of four weeks from today, the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Complaint case no. 418C of 2024, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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