

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5552 of 2026

Arising Out of PS. Case No.-88 Year-2025 Thana- MAHILA P.S. District- Saran

Mohammad Riyazuddin Son of Md. Nasruddin Resident of village - Bankatti
Shukul Tola, P.S.- Baikunthpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramkishor Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 318(2), 69, 3(5) of B.N.S., 2023.

3. It is alleged that this petitioner made physical relation with the victim (informant) on many times on the false promise of marriage and thereafter, refused to marry her.

4. Learned counsel for the petitioner submits that from perusal of the F.I.R., it is apparent that both parties are major and they were in relationship for quiet some time. They enjoyed each others company for several months and indulged in sexual act, which cannot be said to be induced or involuntarily. The relationship was consensual. The informant



was very much capable of understanding the consequences of her action and simply because the relationship could not work out, it will not give rise to institution of F.I.R. for the offence under Section 69 of the B.N.S., 2023. Petitioner claims clean antecedent.

5. Learned counsel for the informant vehemently opposes the prayer for anticipatory bail.

6. In the facts and circumstances of the case, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Chapra, Saran in connection with Chapra Mahila P.S. Case No. 88 of 2025, subject to condition as laid down under Section 482 of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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