

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9658 of 2026

Arising Out of PS. Case No.-278 Year-2025 Thana- KAKO District- Jehanabad

Md. Shadab S/O Md. Salim R/O Vill.- Bichli Tola Bibipur, P.S - Kako ,
District - Jehanabad(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saobiya Mushtaque, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Kako P.S. Case No. 278 of 2025 instituted for the offences punishable under Sections 69 of the Bharatiya Nyaya Sanhita.

3. Allegation against the petitioner is that he established physical relationship with the informant on the pretext of marriage however he later backtracked from his earlier promise.

4. Learned counsel for the petitioner submits that a consensual relationship between the two persons has been given colour of a criminal case. It has been submitted that the relationship was consensual and the allegation of promise of



marriage is also not correct and, in fact, the petitioner had lent an amount of Rs. 1,50,000/- to the informant out of their personal relationship however when the petitioner started demanding the same the informant with no intention to repay the same, lodged this false and concocted case. It has been submitted that no case for the offence alleged is made out especially for the fact that the relationship was consensual and only since the marriage is not being solemnized the present FIR has been lodged. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st , Jehanabad in connection with Kako P.S. Case No. 278 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close



relative of the petitioner and the other shall be a local resident:

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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