

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10673 of 2026

Arising Out of PS. Case No.-276 Year-2025 Thana- BANIAPUR District- Saran

Kaish Alam Son of Hasmat Ali R/o Village - Phulwariya Tola Chakia, P.S. - Garkha, Dist. - Saran, At present R/o Village and P.S. - Baniapur, Dist. - Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sania Khatoon D/o Abdullah R/o Village - Baniapur Tola Ahrapur, P.S. - Baniapur, Dist. - Saran, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arif Daula Siddiquie, Adv.
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-02-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Baniapur P.S. Case No. 276 of 2025 registered for the offences punishable under Sections 69 and 88 of BNS.

3. As per FIR, petitioner alleged to establish physical relationship with informant on 25.12.2024, 31.12.2024 and also on 02.01.2025, at her residence out of which she becomes pregnant. It is alleged that the relationship was



established under promise of marriage as the informant was in relationship with petitioner since last two years before lodging the FIR.

4. It is submitted by learned counsel appearing on behalf of the petitioner that if the last date of relationship be taken into consideration as per FIR, it was 25.12.2024 and therefore by no stretch of imagination the informant would be pregnant of 10 weeks and 6 days as per ultrasound report dated 11.01.2025, which was given in support of allegations that she becomes pregnant out of the aforesaid relationship. It is submitted that apparently the allegation was made falsely against petitioner just to pressurize him to solemnize marriage on the basis of false report. It is submitted that even the FIR nowhere suggests that the relationship was obtained with any deceitful means. It is pointed out that mere promise cannot be said deceitful particularly when the factual aspect suggests that the informant was in relationship



with petitioner for last 2 years prior to lodging the FIR. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as *prima-facie* ultrasound report in support of pregnancy creates a doubt *qua* allegations / occurrence as raised through FIR, coupled with the fact that admittedly informant was in relationship with petitioner since last 2 years before lodging the FIR, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saran at Chapra /concerned Court, where the case is



pending in connection with Baniapur P.S. Case
No. 276 of 2025, subject to the conditions as laid
down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

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

