

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13372 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- BAHERA District- Darbhanga

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Avinash Paswan @ Avinash Kumar Paswan S/o- Sanjay Paswan R/v- Sajhwar
Ps- Bahera District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangeeta Kumar D/o- Ramdeo Ram R/v- Sajhwar Ps- Bahera District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sabal Kumar Jha, Advocate
For the State	:	Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 24-06-2026 Heard Mr. Sabal Kumar Jha, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Bahera P.S. Case No. 9 of 2026 registered for the offence punishable under Sections 126(2), 64(1), 351(2), 352, 303(2) and 3(5) of the B.N.S., lodged on 06.01.2026 by the informant Sangeeta Kumari.

3. As per the prosecution story, the informant alleged that while she was minor, the petitioner on the pretext of marriage established physical relationship against her and when she became pregnant, refused to marry and further demanded



dowry and upon refusal the assault. This led to FIR.

4. Learned counsel for the petitioner submits that he never got attached physically and only to pressurize to marry her, the FIR which can be reflected from the fact that subsequently he has lodged another FIR on 19.04.2026 alleging that recently he again sexually exploited her on 17.04.2026 whereafter the locals ensure that they get married and wanted protection.

5. Learned counsel further submits that during the pendency of the present anticipatory bail application he was arrested in the second FIR and as such, he is presently in jail.

6. Learned App opposes the prayer submitting that the document on record shows that the girl was minor when he made physical relationship.

7. Taking into account the aforesaid facts as also that now the petitioner stands arrested and while rejecting the anticipatory bail application, this Court has taken note of the fact that in the subsequent FIR lodged by the same lady, the petitioner is in jail and as such, in the opinion of the Court it would be appropriate that he seek bail in the present case also.

8. The anticipatory bail application stands rejected.

9. The aforesaid facts have been recorded so that



whenever he files bail in the matter, the Court concern shall take into account the facts of the two cases while dealing with his bail application.

(Rajiv Roy, J)

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