

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.727 of 2026

Arising Out of PS. Case No.-406 Year-2025 Thana- ASHTHAWAN District- Nalanda

Aditya Raj S/O Sanjay Yadav @ Sanjay Kumar Resident of Mohalla- Etwari
Bazar, P.S.- Bihar Sharif, Dist- Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar
2. Shweta Kumari D/O Manoj Kumar R/O Village- Mustafapur, P.S- Asthawan,
Distt.- Nalanda.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar Jha, Advocate
For the Respondent/s : Mr. Binay Krishna, Special PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-06-2026 1. Heard learned counsel for the appellant and
learned Special P.P. for the State, Mr. Binay Krishna and the
learned counsel appearing on behalf of the informant.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide
order dated 13.01.2026 in A.B.P. No. 2322 of 2025 passed by
the learned VI Additional Sessions Judge-cum-Special Judge
S.C./S.T. (POA) Act, Bihar Sharif, Nalanda in connection with
Asthawan P.S. Case No. 406 of 2025 registered for the offences
punishable under Sections 64, 115(2) and 351(2) of the BNS,
2023 as well as Sections 3 (i)(r) and 3(2)(v) of the SC/ST Act.

3. Learned counsel for the appellant submits that
appellant is a person with clean antecedent and the informant



alleges that she was in a relationship with the appellant for the last three years and they established physical relation on several occasions, further appellant had assured that he will marry her in November, 2025, next alleges that when she asked the appellant to marry her on 30.11.2025, the appellant refused saying that they belong to different caste and he will marry in his own caste and will also get dowry.

4. Learned counsel for the appellant submits that appellant has been falsely implicated in the instant case by the informant, it is next submitted that it is not in dispute that appellant and informant were in a relationship, but then appellant was not aware that informant was married from before. It is submitted that informant was married to Mukesh on 10.12.2021 and had instituted Complaint Case No. 142 of 2023 against Mukesh and has also filed a Maintenance Case No. 37 of 2023 on 01.05.2023 under section 125 Cr.P.C, further Mukesh had also filed Matrimonial Case No. 257 of 2022 under Section 9 of the Hindu Marriage Act for restituting his conjugal rights with the informant, it is thus submitted that when appellant came to know that informant was married from before and concealing her earlier marriage had entered into a relationship with the informant, as such, he declined to marry, but then the



instant FIR came to be instituted with false allegation.

5. At this stage, learned counsel appearing on behalf of the informant submits that he has instruction not to oppose the anticipatory bail application of the appellant.

6. In view of the submissions made by the learned counsel for the appellant, the order dated 13.01.2026 in A.B.P. No. 2322 of 2025, **is hereby set aside** and the appellant above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Asthawan P.S. Case No. 406 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

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