

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16686 of 2026

Arising Out of PS. Case No.-122 Year-2025 Thana- NARHATT District- Nawada

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Tinku @ Satyendra Kumar @ Satendra Kumar S/O Rambalak Mahto
Resident of Village- Mahiyan, P.S.- Mohanpur, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX D/O late Rajendra Prasad R/O Vill.- Baniyan Bigha, P.S.- Narhat,
Dist.- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Umeshanand Pandit, APP
For the Informant	:	Mr. Arun Kumar Arun, Advocate
		Mr. Karamchand Kumar, Advocate
		Mr. Anil Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-04-2026 Heard Mr. Sanjeev Kumar, learned counsel appearing on behalf of the petitioner, Mr. Umeshanand Pandit, learned APP appearing on behalf of the State and Mr. Arun Kumar Arun, learned counsel appearing on behalf of the informant/Opposite Party No. 2.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 376, 504, 506 and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. As per prosecution case, in the year 2023, informant met co-accused Deepu Kumar and thereafter, on the



false pretext of marriage, he committed rape upon her. It is further alleged that in the year 2024, Rs. 10,00,000/- was given to father of co-accused Deepu Kumar, namely Tulsi Mahto, as dowry, however, subsequently, the accused persons refused to solemnize marriage.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation of committing rape upon the victim on the false pretext of marriage is against co-accused Deepu Kumar. In the prosecution case, the informant has not disclosed as to how the alleged money was given her and as per F.I.R., the same was given to father of co-accused Deepu Kumar. There is no specific accusation of overt act against this petitioner and he has falsely been implicated in this case merely because he happens to be co-villager of co-accused Deepu Kumar. It is further submitted that similarly situated co-accused persons have already been granted privilege of anticipatory bail by this Hon'ble Court vide order dated 20.02.2026 passed in *Cr. Misc. No. 6154 of 2026*. Petitioner claim clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of



anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Nawada in connection with Narhat P.S. Case No. 122 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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