

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1001 of 2026

Arising Out of PS. Case No.-180 Year-2025 Thana- MAHILA PS District- Darbhanga

Jagarnath Thakur S/o- Chandeshwar Thakur R/v- Nahari Ps- Laukaha Dist-
Madhubani

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Lalmani Kumari D/o- Bauanand Paswan R/v- Jagdishpur Ps- Manigachi
Dist- Darbhanga

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Baidya Nath Prasad
For the Respondent/s	:	Mr.Sadanand Paswan
For the Informant	:	Mr. Nand Kumar Sagar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-04-2026 Heard the parties.

2. The instant appeal has been filed by the appellant against the order dated 17.02.2026 passed by learned Exclusive Special Judge, SC/ST POA Act, Darbhanga, whereby the prayer for bail of the appellant in connection with SC/ST No. 06 of 2026, arising out of Mahila P.S. Case No. 180 of 2025, under Sections 64, 85, 115(2), 351(2), 352, 3(5) of the BNS and Section 3(2)(v-a) of SC/ST (POA) Act, was rejected.

3. Prosecution case, in short, is that the appellant has established sexual relationship with the informant and subsequently, on being pressurized, got married with the informant but has deserted her.



4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. The appellant is in custody since 19.01.2026.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant. It has been submitted by the learned counsel for the informant that the appellant had initially committed sexual assault with the victim and subsequently on being pressurized, has got married and now he has left the victim and therefore, he does not deserve bail.

6. I have heard and considered the submission of the parties.

7. From the records of the case and the materials available on record, it appears to be a case of consensual sex, this Court is inclined to allow this appeal.

8. Accordingly, the appeal is allowed and order dated 17.02.2026, is hereby set aside.

9. Let the appellant be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with SC/ST No. 06 of 2026, arising out of Mahila P.S. Case No. 180 of 2025, subject



to the condition that the appellant, after being released on bail will start paying a maintenance amount of Rs. 5000/- to the informant and the maintenance amount shall be credited to the informant's account by the tenth day of the month. If the appellant fails to pay the maintenance amount then the informant may approach this Court for cancellation of bail.

10. It is made clear that the aforesaid maintenance order is subject to outcome of any maintenance case, if any.

(Sandeep Kumar, J)

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