

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23691 of 2026

Arising Out of PS. Case No.-38 Year-2025 Thana- MAHILA PS District- Katihar

Gopal Maharaj S/O Vijay Kumar Maharaj R/O Vill.- Harishankar Nayak High School, P.S- Sahyak, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 81, 69, 3(5) of the Bharatiya Nyaya Sanhita.

3. As per F.I.R., this petitioner persuaded informant to obtain divorce from her hear husband, alluring her that petitioner would solemnize marriage with her. Petitioner established physical relation with the informant for about one year and thereafter, refused to marry and got engaged somewhere else.

4. Learned counsel for the petitioner submits that entire case as set out in the F.I.R. is false and concocted. Informant was major when the relationship developed between the parties and was fully aware of the consequences of such relationship which continued for about one year. He further



submits that acts of repeated intimacy and sexual relationship was consensual in nature and was not established under any false promise, threat or coercion and such, the same cannot be said to be induced or involuntary. As a matter of fact, it is a case of prolonged love affair between two consenting adults which has been given a colour of forcible sexual intercourse with oblique purpose and motive. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering backdrop of the case, nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 Sub-Divisional Judicial Magistrate, Katihar in connection with Mahila P. S. Case No. 38 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita.

(Prabhat Kumar Singh, J)

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