

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25186 of 2026

Arising Out of PS. Case No.-106 Year-2025 Thana- Purbasarai District- Munger

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Manish Kumar Jha Son of Manoj Kumar Jha Resident of Village- Ranipur,
P.S.- Kahalgaon, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr./Ms. Shweta, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 13-05-2026 Heard the learned counsel for the petitioner and

learned APP for the State.

2. The petitioner makes a prayer for bail in connection
with Purab Sarai P.S Case No. 106 of 2025 F.I.R dated
10.11.2025 registered for the offences punishable under
Sections 64(1) of BNS and 66(C) (D) of IT Act.

3. As per the prosecution case, the petitioner
contacted the informant through Instagram about two years prior
to the institution of the case, after which he developed a
relationship and allegedly established physical relations on the



false promise of marriage. It is alleged that the petitioner later threatened to make her private photos and videos viral, repeatedly exploited her, created a fake ID, circulated her private photographs, and continued threatening her to remain in contact with him.

4. Learned counsel for the petitioner submits that petitioner is innocent, has committed no offence and has falsely been implicated in this case. It is submitted that allegation against the petitioner is of establishing physical relationship on the false pretext of marriage. The case of the petitioner is that a consensual relationship which was established earlier may not be said to fall within the domain of rape. Petitioner is in languishing in judicial custody since 12.11.2025. Moreover, a statement has been made in para 3 that the petitioner has clean antecedent.

5. Learned counsel for the petitioner, at this stage, referring to the various judgment rendered by the Hon'ble Supreme Court in the case of *Ansaar Mohammad v. The State of Rajasthan & Anr* passed in **Criminal Appeal No. 962 of 2022 @ SLP (CRL) No. 5326 of 2022**, *Naim Ahamed v. State (NCT of Delhi)* reported in **2023 SCC Online SC 89** and *Amol*



Bhagwan Nehul v. State of Maharashtra & Anr. reported in 2025 SCC Online SC 1230 submits the Hon'ble Apex Court in the aforementioned cases has held that the girl who alleged to have established physical relationship with a person on the promise of marriage is always aware of the consequences and while being aware of such consequences, if such acts are committed, then no criminality could be found out in such relationship, which has been established with consent and both the informant as well as the petitioner are said to be major and are well aware of the consequences and since the family members of the petitioner were not ready for solemnizing the marriage between them, the marriage could not be materialized.

6. Learned Additional Public Prosecutor for the State opposes the prayer for regular bail.

7. Considering the facts and circumstances and that the victim was major and was aware of the consequences of the relationship and merely because of a statement the petitioner has been implicated in the present case, the petitioner is 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 District and Additional Sessions Judge-I, Munger in connection with Purab Sarai P.S Case No.106 of 2025, subject to



the condition that the petitioner shall co-operate in the investigation/trial.

(Ajit Kumar, J)

Abhishek/-
Sanjay/-

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