

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23230 of 2026

Arising Out of PS. Case No.-208 Year-2025 Thana- BOKHRA District- Sitamarhi

Ajit Kumar, Son of Sri Dinesh Rai, Resident of village-Naya Tola, P.S.-
Bokhra, District - Sitamarhi

... .. Petitioner

Versus

1. The State of Bihar
2. Rinku Devi, Wife of Late Lalit Mandal, Resident of village - Ekdara, P.S.-
Khutauna, District - Madhubani

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 13-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Bokhra P.S. Case No.208 of 2025 registered under Sections 81 and 85 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. As per FIR, the petitioner alleged to establish physical relationship with informant for long three years, on several occasions under the false pretext of marriage.

4. It is submitted by learned counsel appearing for



petitioner that the informant/victim is a widow lady, aged about 34 years, whereas petitioner is aged about 22 years and, therefore, establishing physical relationship on false pretext of marriage is appearing *prima facie* non-convincing for the reason that the informant is of more social understanding and experienced *qua* relationship. It is submitted that the basic dispute arising out of money transaction, as petitioner and this informant was working together and when certain dispute surfaced between them for the cash transaction, the present false case was lodged. It is submitted that the relationship was consensual. In this context, it is also submitted that as petitioner is already married, therefore, there was no occasion to promise for marriage, as alleged. While concluding argument, it is submitted that the petitioner is a man of clean antecedent.

5. Learned APP while opposing the prayer of bail submitted that the FIR appears wrongly instituted under Sections 81 and 85 of the BNS, rather the factual aspects of this case suggest offence punishable under Section 69 of the BNS, as for long three years, the physical relationship was



established by the petitioner with informant, who is a widow lady, under false pretext of marriage. It is further submitted that under the assurance of marriage, Rs.4 lakh of informant was also cheated by this petitioner.

6. In view of aforesaid factual submissions and by taking note of fact, as the allegation is specific against this petitioner to establish physical relationship with informant/victim, who is a widow lady, particularly, when the petitioner was already married before entering into the relationship, suggesting that he was from very inception of relationship was not intended to marry the informant, accordingly, the prayer for bail of petitioner stands rejected.

(Chandra Shekhar Jha, J.)

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