

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27363 of 2026

Arising Out of PS. Case No.-52 Year-2026 Thana- ALAMGANJ District- Patna

Md. Danish Son of Md. Gulam Moinuddin Resident of Sadikpur Sarai, P.O.-
Gulzarbagh, P.S.- Alamganj, Patna City, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Saurabh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-04-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 69, 89 of the Bharatiya Nyaya Sanhita.

3. Prosecution case, in brief, is that informant became friend with this petitioner in November 2024 and on pretext of marriage this petitioner, firstly, established physical relation with informant on 06.11.2024 and thereafter, the relationship continued for one year. When informant became pregnant, this petitioner refused to marry her and fraudulently gave her abortion pills.

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 and a divorced lady 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. Rest of allegation are ornamental. Petitioner claims clean antecedent.

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

6. Considering the 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 Additional Chief Judicial Magistrate, Patna City in connection with Alamganj P. S. Case No. 52 of 2026, subject to condition as laid down under



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Prabhat Kumar Singh, J)

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