

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33093 of 2026

Arising Out of PS. Case No.-10 Year-2026 Thana- BELA INDUSTRIAL District-
Muzaffarpur

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Nilesh Kumar Sharma @ Nilesh Kumar S/O Ram Darshan Sharma @ Ram
Darshan Thakur R/O Village- Hussepur, Paigambarpur, Bariyarpur, P.S.-
Bariyarpur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Preety Kunwar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 64 and 81
of the BNS.

3. The case of the prosecution is that the petitioner has
established physical relationship with complainant/informant on
the false promise of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that from perusal of the
complaint petition, it transpires that according to the complaint,
the date of occurrence is 05.01.2020 and the complaint has been



filed on 07.11.2025. Learned counsel has submitted that the delay is not explained and from perusal of the complaint, it is clear that the informant/complainant was in relationship with the petitioner for years. He has further submitted that from perusal of the Annexure-2 it transpires that prior to this occurrence, the complainant/informant was married and has taken divorce from her husband. Learned counsel has further submitted that the complainant/informant is in habit of cheating the boys and extracting the cash from them. He has also submitted that at most, it is a case of relationship and break up thereafter. In any view of the matter, it is not a case of rape. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 05.02.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bela (Audhyogik) P.S. Case No. 10 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned J.M. 1st Class, Court
No. 11, East Muzaffarpur.

(Ashok Kumar Pandey, J)

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