

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33795 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- MAHILA P.S. District- Patna

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Lallan Singh Yadav Son of Late Sita Ram Yadav, Resident of Village - Mahwar, P.S.- Ramgarh, District - Bhabhua (Kaimur).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Senior Advocate
		Mr. Rakesh Kumar Sharma, Advocate
		Mr. Adarsh Prasar, Advocate
		Mr. Mayank Raj, Advocate
		Mr. Rahul Singh, Advocate
		Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party/s :		Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-05-2026 Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner apprehending his arrest in connection with Patna Mahila P.S. Case No. 28 of 2026 registered for the offences punishable under Sections 69, 318(2), 308 (3), 351(2), 352 of Bhartiya Nayay Sanhita 2023.

3. As per FIR, informant who is a 30 years old lady and a football player alleged against the petitioner who is a football trainer of "Eklabaya Residential Training Centre",



Purnea to establish physical relationship on several occasions, on false pretext of marriage. It also alleged that the informant came to know about the marital status of the informant in year 2020 and also about his two childrens out of said marriage. It is also alleged that her objectionable video was also captured by the petitioner, on the basis of which the threat was advanced to the informant to make the video viral, if she failed to join petitioner for physical relationship whenever desired by petitioner.

4. It is submitted by Mr. Ramakant Sharma, learned senior counsel appearing on behalf of the petitioner that the facial perusal of FIR categorically suggest that it is a case of extra marital affairs. It is submitted that the informant was well aware about the marital status of this petitioner and also about his childrens since 2020 itself, even though she continued in relationship with petitioner and lodged the present case only in year 2026 on 12.03.2026. It is submitted that the informant remains in relationship for long nine years. It is pointed out that all such corporeal relationship cannot be termed as rape, particularly when the



performance of marriage was not legally possible and same was well known to the informant herself. In support of his submission, learned senior counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Prashant Vs. State of NCT of Delhi*** reported as ***(2025) 5 SCC 764, Rajnish Singh Alias Soni Vs. State of Uttar Pradesh and Anr.*** reported as ***(2025) 4 SCC 197*** and ***Joseph Shine Vs Union of India*** reported as ***(2019) 3 SCC 39***. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as primarily the allegation suggest extra marital affairs as the informant appears well awared about the marital status of the petitioner, where relationship continued for long nine years suggest that it was almost consensual in nature, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Judicial Magistrate 1st
Class, Patna/concerned Court, where the case is pending in
connection with Patna Mahila P.S. Case No. 28 of 2026
subject to the conditions as laid down under Section 482(2)
of the BNSS.

(Chandra Shekhar Jha, J)

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