

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36146 of 2026

Arising Out of PS. Case No.-3 Year-2026 Thana- ANTICHAK District- Bhagalpur

Md. Sittu S/O Md. Kalim @ Kalim R/O Vill.- Oriyap, P.S- Antichak, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 09-06-2026 Heard learned counsel for the petitioner and learned
APP for the State, through virtual mode.

2. A prayer for bail has been made on behalf of the petitioner in connection with Antichak P.S. Case no. 03 of 2026 registered under section 126(2), 115(2), 69, 88, 89, 351(2) & 3(5) of the B.N.S.

3. Allegation in the F.I.R is that petitioner committed rape with the informant's daughter on the pretext of marriage.

4. Learned counsel for the petitioner submits that the present case arises out of a love affair and the age of the informant/victim, during the course of investigation upon medical examination, has been assessed to be between 17 to 19 years. It has been submitted that as a matter of fact, there was a consensual relationship between the parties and the informant as



of now is also staying along with the petitioner at her matrimonial home. This fact has been stated in paragraph 10 of the main petition and is also part of the bail rejection order in the submission part wherein it has been stated that the petitioner had married the informant on 15.03.2026 and both are leading a peaceful conjugal life. The petitioner has no criminal antecedent and he is in custody since 17.03.2026.

5. The application for bail is opposed by learned A.P.P. for the state.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the fact that the relationship between the petitioner and the victim was consensual and they are also living together, the petitioner is directed to be enlarged on bail in connection with Antichak P.S. Case no. 03 of 2026 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Learned Court concerned where the case is pending/successor Court.

(Soni Shrivastava, J)

Harsh/-

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