

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39992 of 2026

Arising Out of PS. Case No.-238 Year-2026 Thana- JAHANABAD District- Jehanabad

Abhinash Brajraj @ Chhotu Kumar S/o Krishna Singh R/o Village - Sarwa,
PS - Rampur Chauram, District - Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Shri Pushkar Narain Shahi, Senior Advocate Shri Nitya Nand Neeraj, Advocate Ms. Kumari Anjani Sinha, Advocate
For the State	:	Shri Prem Kumar Jha, A.P.P.
For the Informant	:	Shri Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2026 1. Heard Shri Pushkar Narain Shahi, learned Senior Counsel for the petitioner, learned A.P.P. for the State and Shri Santosh Kumar, learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 69 of the BNS.

3. Learned Senior Counsel appearing on behalf of the petitioner submits that petitioner has antecedent of two cases but then he was acquitted in both the cases, as such, as of date the petitioner is a person with clean antecedent and the informant alleges that she was preparing for her competitive examination at Jehanabad and came in contact with the petitioner during morning walk, who was employed in Railways and was posted at Jehanabad Court Station. It is further alleged that petitioner



disclosed that he is unmarried and will marry her and started talking on mobile as detailed in the FIR. It is next alleged that on pretext of marriage, petitioner started establishing physical relation on account of which she became pregnant but petitioner got the pregnancy aborted by giving medicine. It is also alleged that she saw a picture on the mobile of the petitioner of a girl with whom his marriage was fixed. It is further alleged that on 20.02.2026, the informant disclosed that she is again pregnant, hence, the petitioner came to her house and asked her to terminate the pregnancy on which she refused, hence, petitioner put vermilion on her forehead and asked her to consume sulphas and said that he has already consumed sulphas tablet but she refused and thereafter petitioner refused to marry her despite she being pregnant.

4. Learned Senior Counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the relationship was in between two consenting adults. It is next submitted that there was absolutely no promise of marriage. It is also submitted that the FIR came to be instituted on 12.03.2025 and the informant alleges that she was pregnant on the day, the FIR came to be instituted but then the same is a false allegation. It is further submitted that relationship in between the petitioner and



the informant started in the year 2019 and the instant FIR came to be instituted in 2026 i.e. after seven years of the relationship. It is, thus, submitted that had petitioner given any promise of marriage, the informant, in these seven years, would have realized that there was no intent on part of the petitioner to get married to her. It is next submitted that whenever consensual relationship sours, a false case is instituted. It is asserted and submitted that informant was not pregnant on the date when the FIR was instituted. It is also submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned Additional Public Prosecutor for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submissions of the learned Senior Counsel appearing on behalf of the petitioner that the relationship was consensual and the informant, on the date when the FIR was instituted, was not carrying pregnancy and the allegation as alleged in the FIR that petitioner asked her to consume sulphas on the pretext that he had already consumed sulphas and thereafter when she refused, the petitioner denied marrying her does not inspire confidence.

6. Considering the submissions made by the learned



Senior Counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Jehanabad Town P.S. Case No. 238 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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