

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42770 of 2026

Arising Out of PS. Case No.-34 Year-2026 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Chintu Kumar Son of Bhim Ram Resident of Village- Bishunpura, P.O.-
Dangri, P.S.- Kudra, District- Sasaram.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Ms. Tooba Hera, Adv. Dr. Anand Kumar, Adv. Ms. Kamyra Thakur, Adv.
For the Opposite Party	:	Mr. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Mahila P.S. Case No.34 of 2026 registered under Sections 115(2), 126(2), 69, 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short 'BNS').

3. As per the FIR, petitioner alleged to establish physical relationship with informant on false pretext of marriage.

4. It is submitted by learned counsel appearing for the petitioner that the informant was in relationship with this



petitioner for the last two years. It is also submitted that the petitioner was always ready to solemnize marriage with the informant, but as informant entered into an altercation with mother petitioner on 05.03.2026 at about 8:00 P.M, the mother of petitioner refused to solemnize marriage. It is also submitted that last allegation of physical relationship as per FIR is 15th August, 2025, in the background, that the last relationship was established thereafter also in Sasaram hotel was just to aggravate the allegation without specifying any date. It is pointed out that even after the last occurrence which is the altercation as mentioned in FIR with mother of the petitioner i.e. on 5.03.2026, this FIR was lodged on 26.04.2026 i.e. only with an inordinate delay of one month and twenty days without any just explanation. Petitioner claimed clean antecedent.

5. Learned APP has opposed the prayer of bail submitting that the allegation is specifically available against this petitioner.

6. In view of the aforesaid factual submission and by taking note of fact as FIR *prima facie* suggests that



marriage could not solemnized due to altercation of informant with mother of petitioner, where FIR also appears to be lodged with a delay of one month and twenty days after the last occurrence, suggesting *prima facie* an afterthought *qua* false implication, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks, is directed to be released on bail, 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 CJM, Kaimur at Bhabua, Sasaram in connection with Mahila P.S. Case No.34 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS')

(Chandra Shekhar Jha, J.)

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