

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39421 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- MAHILA PS District- Gaya

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Ramji Kumar @ Dheeraj Kumar S/O Mahesh Yadav Resident of village-
Karma, PS -Konch, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
For the Informant	:	Mr. Sunil Kumar Yadav, Advocate
For the State	:	Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2026 Heard Mr. Sharda Nand Mishra, learned counsel for

the petitioner, Mr. Sunil Kumar Yadav, learned counsel for the

Informant and Mr. Mohammed Arif, learned APP for the State.

2. Petitioner seeks bail, who is in custody since

15.03.2026, in connection with Mahila Thana P.S. Case No. 02

of 2026, F.I.R. dated 09.01.2026 registered for the offences

punishable under Sections 69 of the B.N.S., 2023.

3. Allegation against the petitioner is that he

committed sexual intercourse with the prosecutrix on the pretext

of marriage.

4. Learned counsel for the petitioner submits that the

petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. As per allegation in the F.I.R, the petitioner has made physical relationship with the informant/victim on the pretext of marriage. He further submits that from perusal of the F.I.R. it appears that the victim is major and on the pretext of marriage she has made physical relation with the petitioner and the medical report of the victim does not support the allegation as alleged in the F.I.R. and as per date of birth i.e. 18.10.1998 whichs suggests that on the date of occurrence the victim was major. It appears from the F.I.R. it appears that the F.I.R. was instituted after delay of more than three years from the date of occurrence. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.03.2026.

5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has made physical relation with the informant/victim on the pretext of marriage and thereafter he has refused to perform the marriage with the victim.



6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and on the date of occurrence the victim was major and the present F.I.R. was instituted after delay of three years, let the petitioner, above named, 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 learned S.D.J.M. Gaya in connection with Mahila Thana P.S. Case No. 02 of 2026, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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