

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42836 of 2026

Arising Out of PS. Case No.-51 Year-2026 Thana- Pahelja P.S. District- Saran

Deepak Kumar S/o Bhageran Mahto R/o Village - Saidpur, PS - Pahleja,
District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawnit Kumar Tiwary

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
07.03.2026 in connection with Pahleja P.S. Case No. 51 of 2026
for the offences punishable under Sections 64 and 318(4) of the
B.N.S.

3. According to prosecution case, informant Nirmala
Devi, who married to Ramesh Mahto 5 years ago, with whom
she has 2 years old daughter Nidhi. Her husband is a Fisherman,
who often goes to Revilganj for fishing and stays there nearly
10 to 15 days. The informant further stated that she lives at
home with her daughter. Deepak Kumar (petitioner) who lives
next to her house, somehow started talking to her and started
having sexual relations with her. He had sexual relation with her



several times. During this time he took obscene photos of her and kept them in his mobile and started threatening to make her obscene photos viral and black mailed her. It is further stated in the complaint that the petitioner took away her gold and silver jewelry from her. After a few days, he took Rs.10,000/- from her by threatening her and thereafter started demanding more money from her and on failure to do so, the petitioner threatened to make her photos viral and kill her.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. Learned counsel for the petitioner next submits that it appears from the FIR itself that the informant has made physical relationship with the petitioner with consent and she is a major lady and petitioner has not committed any offence as alleged in the FIR. It is next submitted that no case is made out against the petitioner under Sections 64 and 318(4) of the B.N.S. Learned counsel for the petitioner next submits that police after investigation has submitted charge-sheet and petitioner is in custody since 07.03.2026.



5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Saran at Chapra in connection with Pahleja P.S. Case No. 51 of 2026, subject to the following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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)

Gaurav Sinha/-

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