

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39560 of 2026

Arising Out of PS. Case No.-10 Year-2026 Thana- MAHILA P.S. District- Rohtas

Chandan Kumar Son of Jitendra Kumar Singh Resident of Village-
Bhusahula, P.S.- Darihat, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Victim X Sanjay Kumar Das Village Gangti PS Bandeya District
Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Chandra, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and the

State .

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under sections 69, 126(2), 115(2),
352, 351(2), 351(3) of BNS.

3 . As per prosecution case, on the false pretext of
marriage, this petitioner established physical relations with the
informant and later on, refused to solemnize marriage.

4. Learned counsel for the petitioner submits that
from bare perusal of F.I.R. it is apparent that both parties were
in relationship for the last 2 years. When their relationship
developed between them, both were major. The act of repeated



intimacy and sexual relationship was totally consensual in nature and was not established under any false promise, threat, duress or coercion. He further submits that it is a case of long voluntary love affair between two consenting adults which had been given a colour of forcibly sexual intercourse with oblique purpose and motive. It is hard to believe that the informant kept on bending to the demands of the petitioner for a period of nearly 2 year without raising any protest to any quarter that the petitioner was exploiting her sexually under the pretext of a false promise of marriage. The sexual relations continued unabatedly between the parties, is sufficient to conclude that there was never an element of force or deceit in the relationship. The Court below has assessed the age of the victim as 24 years. Petitioner claims clean antecedent.

5 . Learned counsel for the State opposed the bail petition .

6 Considering the fact that both the parties were major when the relationship developed between them and informant was well aware of such relationship and its consequences and as such, the same will not amount to any criminal offence, in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be



enlarged 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 SDJM, District, Rohtas at Sasaram in connection with Rohtas Mahila P.S. Case No. 10 of 2026 , subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita , 2023 .

(Prabhat Kumar Singh, J)

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