

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43657 of 2026

Arising Out of PS. Case No.-14 Year-2026 Thana- MAHILA P.S. District- Muzaffarpur

=====

Rahul Kumar Son of Late Naresh Ram Resident of Dhiran Chhapra Ward No
9, PS -Bela District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Shanti Bhushan Singh, Advocate
For the State	:	Mr. Ram Anurag Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-07-2026 Heard learned senior counsel appearing on behalf of
the petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 126(2), 64,
89, 352 and 3(5) of the B.N.S..

3. The prosecution case, in brief, is that on the false
pretext of marriage, this petitioner established physical relations
with the informant on various occasions due to which she also
became pregnant and thereafter, on 17.12.2024, this petitioner
took the informant to a medical clinic and got her aborted. It is
further alleged that after two days, when the informant came to
her senses and asked this petitioner, he refused to solemnize



marriage with her and also threatened with dire consequences.

4. It is submitted by learned senior counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. The entire prosecution case, as set out in the F.I.R., is out and out false, fabricated and concocted. As a matter of fact, from bare perusal of the F.I.R. it is apparent that both parties knew each other since long and with the passage of time, relationship developed. At the time when the relationship developed, both of them were major and were fully aware of the consequences of such a relationship. The relationship was consensual between two consenting adults and both of them enjoyed each others company for four long years. It is further submitted that only because the relationship could not continue and failed, the same does not amount to rape. Rest of the allegations are ornamental in order to make the case grave. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that on the false pretext of marriage, this petitioner established physical relations with the informant due to which she became pregnant and later on, got her abortion done, refused to solemnize marriage and also threatened her.

6. Considering the rival submissions advanced on



behalf of learned counsel for the parties and the fact that from bare perusal of the prosecution case it is apparent that at the time when the relationship developed between the parties, both of them were major and enjoyed each others' company for four years, the same cannot be said to be inducted or involuntary and the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned J.M. Ist Class, Muzaffarpur (East) in connection with Mahila P.S. Case No. 14 of 2026, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

