

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44427 of 2026

Arising Out of PS. Case No.-20 Year-2026 Thana- HALAI District- Samastipur

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Banke Bihari Rai Son of Shiv Kumar Rai Resident of Village- Akauna, P.S.-
Simri, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Rai Wife of Chandra Bhushan Rai Resident of Village- Balua, P.S.-
Sakra, District- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-07-2026 1. Heard learned Senior counsel for the petitioner,
Mr. Krishna Prasad Singh and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 64(2), 89
and 351(3) of the BNS, 2023.

3. Learned Senior counsel for the petitioner submits
that petitioner is a person with clean antecedent and the
informant alleges that her husband works with BSNL, it is next
alleged that her daughter was kidnapped, but was recovered,
further she used to talk to the Investigating Officer (petitioner)
in connection with the case, next alleges that petitioner enticed



her and they fell in love, further she disclosed that if her husband will come to know about her relationship, he will leave her, but petitioner assured that he will keep her, the relationship continued for nine years and she became pregnant twice, but pregnancy was aborted, it is next alleged that her husband came to know about their relationship, hence left the informant and thereafter petitioner also left her and threatens.

4. Learned Senior counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is fairly submitted that petitioner and the informant came in close contact in connection with the kidnapping case of the daughter of the informant. It is also submitted that since informant and the petitioner both were married, as such, both were aware of the fact that the relationship will not culminate in marriage. It is also submitted that it absolutely does not stand to reason that how the petitioner could have enticed the informant into a relationship. It is further submitted that the relationship continued for nine years, as such, it does not appear probable that the informant would not have realized that the relationship is not going to culminate in marriage. It is also submitted that the relationship was consensual with no promise of marriage and when the



relationship soured, the present false case came to be instituted. It is also submitted that if privilege of anticipatory is granted, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Halai P.S. Case No. 20 of 2026 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned



police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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