

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48539 of 2025

Arising Out of PS. Case No.-218 Year-2024 Thana- SARAI District- Vaishali

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Sharvan Ram @ Sharvan Kumar @ Sharwan Kumar, S/o- Devendra Ram,
Village- Boaria, Ps- Sarai, Dist- Vaishali

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Suman Kumari D/o- Madan Sahani Village- Boaria Ps- Sarai Dist- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Ray, Adv.
For the Opposite Party/s : Ms. Renuka Ratanakar, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 21-01-2026 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Sarai P.S. Case No. 218 of 2024, registered for the offences
punishable under Sections 126, 115, 69, 303 and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. Based upon the written report the prosecution
alleges that on account of pretext of marriage, the informant was
subjected to sexual exploitation for six years and the marriage
was also solemnized in a temple, but later on, the petitioner left
the informant and also abused and assaulted. Despite the
persuasion made by the local people, the dispute could not be



resolved and, as such, the informant lodged the present FIR.

4. Learned Advocate appearing on behalf of the petitioner taking this Court through the FIR contended that admittedly there was a long consensual relationship between the parties and the informant is a major adult woman, knowing every aspect of the matter had entered into the relationship, however, due to some unforeseen reason, the marriage could not be performed and this infuriated the informant, which led to filing of the present FIR. It is further contended that the statement of the victim was also recorded, however there is various contradictions in the written report *vis-a-vis* the statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita. He further submits that so far the allegation with regard to putting pressure and blackmailing based upon some viral videos and indecent photographs, that has not been supported during the course of investigation, as no materials have been collected in this regard. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the proceeding of the Court

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that there is a specific accusation against the petitioner of



causing sexual exploitation of a innocent woman, besides she also stated in her statement recorded under Section 183 BNSS that she was subjected to blackmail and forced physical relationship.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the fact that there was a long consensual relationship for over six years and in the mean time, the informant had never made any complaint, besides the contradictions pointed out by the learned Advocate for the petitioner in the written report *vis-a-vis* the statement of the victim, coupled with the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur or his successor in connection with Sarai P.S. Case No. 218 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further following conditions:-

(i) One of the bailors shall be the own/close family



members of the petitioner.

(ii) If the petitioner is found indulged in intimidating or threatening the informant and the witnesses, they shall be at liberty to file cancellation of his bail bond.

(Harish Kumar, J)

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