

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64442 of 2025

Arising Out of PS. Case No.-334 Year-2024 Thana- UJIYARPUR District- Samastipur

Chandan Kumar S/o Suresh Poddar Resident of Ward No.1, Mahisari, P.S.-
Ujiyarpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

8 13-03-2026 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Ujiarpur P.S. Case No. 334 of 2024, instituted for the offences
punishable under Sections 318(4), 303(2), 89 and 69 of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on the pretext
of marriage, the petitioner established physical relation with the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case.
Learned counsel for the petitioner also submits that the



occurrence is said to have taken place from year 2022 to 08.12.2024 but the FIR was lodged on 14.12.2024 and before that no any complaint or FIR has been lodged by the informant. It is next submitted that the petitioner is alleged to have established physical relationship on the assurance of marriage. Subsequently, for one reason or the other, the marriage could not be solemnized and for the said reason, the present case has been instituted. Learned counsel for the petitioner further submits that the said relationship was a consensual relationship between the parties. He has further placed reliance on cases of the Hon'ble Supreme Court since reported in **2018 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharastra & Ors)** and **(2019) 9 SCC 608 (Pramod Suryabhan Pawar vs. The State of Maharashtra and Ors.)**. The petitioner is in custody since 15.12.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ujiarpur P.S. Case No. 334 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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