IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68987 of 2026

CNR No. BRHC010979762026

Arising Out of PS. Case No.-193 Year-2026 Thana- SHEKHPURA District- Sheikhpura

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LAKHPATI KUMAR Son of Munnilal Bind @ Muni Bind R/O Village - Gagaur, P.S.- Korma, District - Sheikhpura.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner : Ms. Payal Thakur, Advocate
For the State : Mr. Sanjay Kumar Singh, APP
For the Informant : Mr. Diwakar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

3 06-11-2026 Heard the learned counsel for the petitioner, the learned APP appearing on behalf of the State as well as the learned counsel for the informant.

2. The petitioner seeks bail in connection with Sheikhpura P.S. Case No.193 of 2026 for allegedly having committed offence under Section 69 of B.N.S.

3. As per the prosecution story, which has been lodged on the basis of the *fardbeyan* given by the informant, to the effect that her husband died around 2 ½ years back and she is a mother of three children. Around 1 ½ year back she had gone to the matrimonial home of her sister and, in the meantime, the petitioner, who is also a resident of the same village, saw her

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and took her mobile number from somewhere else. He started calling her on her mobile number and forcefully took her for a ride. He again came in Bind village and forcefully applied vermilion on the head of the informant. The informant went with the petitioner to Surat and stayed there for almost six months and along with him came to visit *Malmas* fair at Rajgir and thereafter, despite repeated requests made by the informant, he did not take her home. The informant was told to go to her parental home and thereafter, he started blackmailing her by sending indecent videos of her. She went to meet him at Sheikhpura and there he forcefully had relationship with her. Thereafter, She fled from there.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. She submits that the entire allegation levelled in the first information report are false and concocted and from the first information report itself, it would appear that the informant on her own was residing with the petitioner at Surat and had entered into relationship outside her marriage. She submits that from the contents of the first information report, it would transpire that it was a consensual relationship and the informant, being aware about the consequences of the relationship, entered

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into the same. She went to live with the petitioner at Surat, she went with him in a fair, she again went to meet him at Sheikhpura and thereafter lodged the present first information report. The learned counsel for the petitioner submits that although, in her statement recorded under Section 183 of the BNSS, she has supported her case, however the true fact is that the relationship in between the petitioner and the informant was consensual. She submits that the petitioner is in custody since 15.07.2026 without any criminal antecedent.

5. Per contra, the learned counsel appearing on behalf of the informant, while opposing the prayer for bail of the petitioner, submits that the petitioner forcefully had relationship with the informant, he captured her indecent videos and the same was made viral by the petitioner and even the same was sent to the informant. On the basis of the said video, he used to had relationship with the informant and lastly he refused to marry the informant.

6. The learned APP appearing on behalf of the State also opposes the prayer for bail of the petitioner.

7. Having considered the rival submissions and after going through the records, it appears that after death of her husband, the informant went to the matrimonial home of her

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sister and there she met the petitioner. She, with her consent entered into the relationship with the petitioner, which can be said to be a relationship out of her marriage. She being aware about the consequences of her relationship, went with the petitioner to Surat and remained there for six months. She came with the petitioner at Rajgir for a fair and after the fair was over, she went to her parental home on the directions given by the petitioner. She again went to meet the petitioner at Sheikhpura, wherein it is said that the petitioner forcefully had relationship with her and thereafter she fled from there. From the contents of the first information report, it would transpire that the relationship in between the petitioner and the informant was a consensual relationship and the informant being a major was aware about the consequences of such relationship, even then she stayed with the petitioner for six months and later on when the relationship became sour, she filed the present first information report.

8. Considering the above, let the petitioner above-named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sheikhpura in connection with Sheikhpura P.S. Case No.193 of

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2026 with a condition that:

(i) The learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

Sanjay/-

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