

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78469 of 2025**

Arising Out of PS. Case No.-31 Year-2024 Thana- MAHILA P.S. District- Sitamarhi

Raushan Kumar Son of Bhola Chaudhary R/O Village- Chakdah Town, P.S.-
Madhubani, Distt.- Madhubani, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 15-01-2026 Heard Mr. Shivnandan Bharti, learned counsel for
the petitioner and Mr. Mithlesh Kumar Khare, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
22.07.2025 in connection with Mahila P.S. Case No. 31 of 2024,
F.I.R. dated 30.06.2024 for the offences punishable under
Sections 376, 354(C)/34 of the IPC and Section 66(C) and
67(D) of the I.T. Act.

3. According to prosecution case, the informant was a
married lady but living separately from her husband and this
petitioner on the pretext of marriage established physical
relation with the informant. It is further alleged that the
petitioner's friend took her private photos and threatened her for
making those pictures viral.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R itself that the informant/victim is a married lady and how can anyone assured her for performing marriage with her when she was already married. It also appears from the F.I.R that she alleged that the petitioner has given her assurance that he will perform marriage with her. Apart from the aforesaid, the informant has a daughter aged about 5-6 months. He further submits that the informant has supported the case of the prosecution in her statement recorded under Section 164 of the Cr.P.C/183 of the B.N.S.S. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 22.07.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M,



Sadar, Sitamarhi in connection with Mahila P.S. Case No. 31 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below 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 below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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