IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76579 of 2026

CNR No. BRHC011109362026

Arising Out of PS. Case No.-32 Year-2026 Thana- MAHILA P.S. District- Bhojpur

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Raka Yadav @ Amit Kumar @ Raka Son of Birendra Yadav @ Virendra Kumar Yadav Resident of village- Baluhipur @ Bhaluhipur, P.S.- Ara Town, District- Bhojpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Akanksha Malviya
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 05-11-2026 1. Heard learned counsel for the petitioner, Ms. Akanksha Malviya and learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 69, 115(2), 126(2), 351(2), 352, 75, 3(5) of the BNS.

3. Learned counsel appearing on behalf of the petitioner submits that petitioner has antecedent of one case and the informant alleges that about six months back she came in contact with the petitioner through Instagram and they exchanged their mobile number and started talking, it is next alleged that about two months ago, the petitioner called her and asked her to meet, accordingly they met and the petitioner promised that he will marry her, it is further alleged that petitioner and the

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informant went for an outing when the informant sustained injuries in her legs, thus the petitioner on 13.05.2026 took her to Gajanand Hospital where she was admitted for five days and during her admission in the hospital the petitioner established physical relation on several occasions, further on 15.05.2026 when petitioner insisted for marriage the petitioner and his friend Niraj misbehaved with her and threatened to kill.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR it would manifest that informant alleges that she came in contact with the petitioner through Instagram and they exchanged their mobile number and thereafter started talking and fell in love and petitioner also promised that he will marry her, it is further submitted that informant also alleges that she along with the petitioner went for an outing and she sustained injuries on her legs, as such petitioner admitted her in a hospital where they established physical relation, it is also submitted that it does not appear probable that had the informant been admitted in a hospital for any injury and that too for five days her parents would not have come to know about the same, it is next submitted that there is nothing on record to even remotely suggest that

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informant was admitted in a hospital by the petitioner, it is further submitted that the relationship was in between two consenting adults, it is also submitted that whenever such relationship sours a false case is instituted, it is next submitted that if the privilege of anticipatory bail is granted to the petitioner, 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 prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let 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 Mahila P.S. Case No. 32 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

vikram/-

(Satyavrat Verma, J)

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