

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78093 of 2025

Arising Out of PS. Case No.-724 Year-2025 Thana- NAGAR District- Vaishali

Sahil Suman Son of Sureshwar Singh @ Sureshwar Prasad Singh Resident of
Village - Sikandarpur Mushari, Pankaj Market Road, Police Station Town
Muzaffarpur, Dist. - Muzaffarpur(Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari W/o Prashant Sharma, D/o Dayanand Prasad Resident of
Hatsarganj Jagdamba Asthan, Police Station- Nagar (Hatsarganj OP),
Hajipur, Distt.- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kumar Ravish, Advocate
For the Opposite Party/s	:	Mr.Dr. Ajeet Kumar, A.P.P. Mr. Aditya Kumar Pandey, Advocate

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

ORAL ORDER

4 11-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with Hajipur
Town P.S. Case No. 724 of 2025, instituted for the offences
under Sections 64, 126(2), 115(2), 352, 351(2) and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the petitioner
committed rape upon the informant after giving allurements of
marriage.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. He further submitted that informant is a major and married lady. He further submitted that there are consensual sexual activity between the petitioner and victim from the year 2019. He further submitted that informant has filed complaint against the petitioner, however, she opted to withdraw the same on 21.11.2022. The incident of blackmail by showing photographs is stated to have started in December, 2019, but no FIR or complain has been provided. Charge-sheet has been submitted in this case. 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 has further placed reliance on cases of the Hon'ble Supreme Court since reported in *2018 SCC OnLine SC-3100 (Dr. Dhruvaram Murlidhar Sonar Vs. The State of Maharashtra & Ors)* and *(2019) 9 SCC 608 (Pramod Suryabhan Pawar Vs. The State of Maharashtra and Ors.)*. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.08.2025 and has no criminal antecedent.

5. Learned A.P.P. 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, as also 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 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 Hajipur Town P.S. Case No. 724 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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