IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78233 of 2026

CNR No. BRHC011139542026

Arising Out of PS. Case No.-497 Year-2026 Thana- BAHADURGANJ District- Kishanganj

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SURENDRA PRASAD SINGH S/o Jageshwar Prasad Singh @ Jageshwar Prasad Singh @ Jageshwar R/o vill - Dhimtola, ward no. 2, P.s.- Bahadurganj, Distt.- Kishanganj

... ... Petitioner/s

Versus

1. The State of Bihar
2. Sanjana Kumari D/o Vimal Kumar Singh R/o vill - Jurail Dahgaon ward no 10, P.S.- Bahadurganj, Distt.- Kishanganj

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajeev Ranjan, Adv.
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP
For the Informant : Mr. Rohit Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 04-11-2026 Heard, Mr. Rajeev Ranjan, learned counsel for the petitioner and Mr. Rohit Kumar, learned counsel for the informant as well as Mr. Syed Mojibur Rahman, learned APP for the State.

2. This is an application for regular bail to the petitioner who has been made accused in connection with Bahadurganj P.S. Case No. 497 of 2026 registered for the offences punishable under Sections 69, 352, 351(2) of the BNS and under Section 66(E), 67(A) of the IT Act.

3. As per the prosecution case, the informant allegedly came into contact with the petitioner through a relative.

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Thereafter, the petitioner expressed his desire to marry her and started visiting her house. On 05.01.2025, the petitioner allegedly attempted to establish physical relations with her against her will and committed rape upon her refusal. He also allegedly made obscene videos and photographs of her and threatened to make them viral if she disclosed the incident. It is submitted that the petitioner raped the informant on several occasions on the pretext of marriage and later circulated her photographs and videos after going abroad.

4. Learned counsel for the petitioner submits that petitioner is quite innocent, has committed no offence and has falsely been implicated in this case and the allegations levelled against the petitioner are concocted and manipulated. It is submitted that the FIR has been lodged after the delay of one year and seven months and there is no explanation of the same. No incriminating article including video or photographs has been recovered from the conscious possession of this petitioner.

5. It is submitted on behalf of the petitioner that the petitioner and the informant have voluntarily solemnized the marriage. The matter has been amicably settled between them and a compromise petition has been filed in the trial court regarding this. It is submitted that no offence under Section 69

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of the BNS is made out against the petitioner. It is also submitted that both the parties are major. Petitioner has clean antecedent and is languishing in judicial custody since 09.08.2026.

6. Learned counsel for the informant submits that both the parties have solemnized the marriage, the matter has been amicably resolved and a compromise petition has already been filed.

7. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into consideration the materials available on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 5,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj/concerned court in connection with Bahadurganj P.S. Case No. 497 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will

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remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(iii) 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.

(Kumar Manish, J)

Abhishek/-

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