IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77722 of 2026

CNR No. BRHC011139882026

Arising Out of PS. Case No.-352 Year-2026 Thana- CIVIL LINE District- Gaya

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Kounain Jafar S/o Md. Alauddin R/o Mohalla - Nagmatia Road, P.S.- Civil Lines, Distt.- Gaya, Bihar

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :

For the Petitioner	:	Mr. Avanish Kumar Singh, Advocate
For the State	:	Mr. Md. Fahimuddin, APP
For the Informant	:	Mr. Pankaj Kumar Singh, Advocate
		Mr. Ujjawal Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Civil Lines P.S. Case No. 352 of 2026, registered for the offences punishable under Section 352, 69, 3(5) of the BNS.

3. On the allegations levelled in the FIR, it transpires that the informant had been in a long-standing relationship with the petitioner, and she was also physically abused by the petitioner. When marriage was requested by the informant, excuses were allegedly made by the petitioner.

4. The learned counsel for the petitioner submits that the petitioner is innocent and he is a person of clean

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antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. The allegation of sexually exploiting the informant appears to be far-fetched simply because it is alleged that the petitioner refused to marry her. The petitioner and the informant were in a long-standing relationship and both were/are major/adults. In such circumstance, no purpose would be served in denying anticipatory bail to the petitioner. I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged 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 learned Additional Chief Judicial Magistrate-I Gaya, Bihar in connection with Civil Lines P.S. Case No. 352 of 2026, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) The petitioner shall co-operate in the investigation/ trial.

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(ii) The learned court below would, however, verify the criminal antecedents of the petitioner and in case it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

Anuj/-

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