IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80633 of 2026

CNR No. BRHC011157682026

Arising Out of PS. Case No.-167 Year-2026 Thana- SHAHKUND District- Bhagalpur

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Pritam Kumar S/O Sunil Mandal Resident of Village- Harpur, P.S- Shakund, District- Bhagalpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 05-11-2026 Heard the learned counsel for the petitioner and the learned Addl. Public Prosecutor for the State.

2. The petitioner, who is in custody, seeks bail in connection with Shakund P.S. Case No. 167 of 2026 registered for the offence(s) punishable under Section(s) 64, 89 and 81 of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant has alleged that the petitioner, on false promise of marriage, had taken her to Gujarat at his work place and they stayed there and when she became pregnant, he had denied marrying her.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated and the sole purpose of the informant is to pressurize the petitioner for marrying the informant. It has further been submitted that from the perusal of

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the impugned order, it would be evident that the victim/informant in her statement recorded under Section 183, BNSS, has stated that she had a love affair with the petitioner and as the petitioner had promised to marry her, they established physical relationship and she had also gone with him and stayed at his work place at Gujarat. It has next been submitted by the learned counsel for the petitioner that no date and time has been stated, as to when the petitioner had taken the victim/informant to his work place and for what period they had stayed. It has also been pointed out that if the period from the year 2022 is considered, then the present F.I.R. has been lodged as an afterthought in the year 2026, only when the petitioner is getting married. It has lastly been submitted that the petitioner carries clean antecedent and he is in custody since 24.07.2026.

5. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. Having heard the learned counsel for the parties and considering the fact that the relationship between the petitioner and the informant/victim, as admitted by the victim/informant herself, has been for four long years, let the petitioner, above-named, be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where

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the case is pending/successor Court in connection with Shakund P.S. Case No. 167 of 2026, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his/her close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his/her bail bonds.

(v) The concerned Court shall verify the criminal antecedents of the petitioner and in case, at any stage, it is found that he/she has concealed his/her criminal antecedents, the Court concerned shall take necessary steps for cancellation of his/her bail bond. 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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