

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80927 of 2025

Arising Out of PS. Case No.-92 Year-2025 Thana- MAHILA PS District- Darbhanga

SANTOSH KUMAR YADAV S/o Rama Yadav @ Ram Yadav Resident of
Village -Trimuhani, Police Station- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sahana Khatoon D/o Mofid Nadaf R/o Village- Kopi Trimuhani, P.S.-
Baheda, District- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Sri Nawal Kishore Agrawal, Sr. Advocate Sri Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s	:	Sri Tarun Prasad Mandal, A.P.P

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 27-02-2026 1. Heard Sri Nawal Kishore Agrawal, learned Senior
Counsel for the petitioner, learned A.P.P. for the State and
learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 64, 74,
351(2), 115(2) and 3(5) of the BNS.
3. The Station House Officer and the Investigating
Officer of the case, in compliance of the order dated 19.02.2026,
are present in the Court.
4. Learned Senior Counsel appearing on behalf of the
petitioner submits that petitioner is a person with clean
antecedent and the informant alleges that she was in a
relationship with the petitioner for the last two years and on



08.07.2025 she was going to take her exam at Bahera College when petitioner along with Raushan and Gautam intercepted her and forcibly took her to an orchard where petitioner established physical relation forcefully and on objection Raushan assaulted her and tried to force on her and thereafter they left her at Dharoura Chowk and fled away.

5. Learned Senior Counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner and the victim were in love. It is further submitted that from perusal of Annexure-2 to the anticipatory bail application, it would manifest that informant after instituting the instant FIR filed an application in the Court of learned Sub-Divisional Judicial Magistrate, Darbhanga wherein she has stated that on 08.07.2025 while she was going to give her exam when she met with the petitioner and asked him to drop her to the Centre but the petitioner refused on which there was an altercation, as such, the petitioner slapped her, hence, she came back home leaving her examination and the next day instituted the instant FIR. It is next submitted that from perusal of Annexure-3, it would manifest that on intervention of well-wishers, the parties have compromised the case.

6. The Station House Officer and the Investigating



Officer of the case, who are present in the Court, also submit that during the course of investigation, the allegation of rape was not corroborated.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. Learned counsel appearing on behalf of the informant also submits that he has instruction not to oppose the anticipatory bail application.

9. After hearing the learned counsel for the parties, 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.5,000/- (Rupees Five 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. 92 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

10. The personal appearance of the Station House Officer and the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

