

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81388 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- MAHILA PS District- Jehanabad

Pradip Kumar @ Raja S/O Sanjay Kumar @ Sanjay Malakar R/O Village-
Bhalua, P.S- Belaganj, Distt.- Gaya Ji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, A.P.P.

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

ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Jehanabad Mahila P.S. Case No. 35 of 2025, instituted for the
offences under Sections 64, 69, 352, 351(2), 303(2) and 3(5) of
the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that petitioner
established physical relations with the victim on the pretext of
marriage.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. On recovery, the
statement of the victim has been recorded under Section 183 of
BNSS in which she has not supported the allegation made in the



F.I.R. 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.)**. The F.I.R. has been lodged on 03.06.2025 after 66 days of the alleged occurrence. The victim is major. Earlier the case was registered u/s 64, 69, 352, 351(2), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Charge-sheet has been submitted u/s 352, 351(2), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.08.2025 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 and taking into account the statement of victim recorded under Section 183 of BNSS, 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 Jehanabad Mahila P.S. Case No. 35 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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