

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83028 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- SANGRAMPUR District- East
Champaran

Sunny Kumar S/O Vikram Ram Resident of Vill- Sikandrapur, Ward No.-12,
P.S.- Sangrampur, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar , Advocate
Mr. Sitesh Kashyap, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-01-2026 Heard learned senior counsel appearing on behalf of
the petitioner, learned APP appearing on behalf of the State .

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 69, 352,
351 (2) and 3 (5) of BNS.

3 . As per prosecution case , it is alleged that on the
false pretext of marriage, this petitioner established physical
relations with the informant and later on, refused to solemnize
marriage .

4. It is submitted by learned senior counsel appearing
on behalf of the petitioner that petitioner is quite innocent and
has committed no offence. The entire prosecution case, as set



out in the F.I.R., is out and out false, fabricated and concocted. As a matter of fact, from bare perusal of the F.I.R. it is apparent that both parties knew each other since long and with the passage of time, relationship developed. At the time when the relationship developed, both of them were major and were fully aware of the consequences of such a relationship. The relationship was consensual between two consenting adults and both of them enjoyed each others company for 6 months. It is further submitted that only because the relationship could not continue and failed, the same does not amount to rape. Rest of the allegations are ornamental in order to make the case grave . Petitioner claims clean antecedents.

5 . On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that on the false pretext of marriage , this petitioner established physical relations with the informant and later on , refused to solemnize marriage .

6. Considering the rival submissions advanced on



behalf of learned counsel for the parties and the fact that from bare perusal of the prosecution case it is apparent that at the time when the relationship developed between the parties, both of them were major and enjoyed each others' company for several months, the same cannot be said to be inducted or involuntary and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions – cum- Exclusive Special Judge , (POCSO) East Champaran at Motihari in connection with Sangrampur P.S. Case No. 216 of 2024 , subject to condition as laid down under Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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