

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85388 of 2025

Arising Out of PS. Case No.-151 Year-2025 Thana- Babarganj District- Bhagalpur

Vishal Kumar S/o- Kanhaiya Prasad Sah Resident of village- Aliganj
Ambabagh PS- Babarganj District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanchay Srivastava, Adv. Mrs. Sonali Priya, Adv. Mr. Sushant Srivastava, Adv. Mr. Ashish Kumar Palit, Adv.
For the Opposite Party/s :		Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Babarganj P.S. Case No. 151 of 2025 dated 23.08.2025 registered for the offences punishable under Sections 69, 238 and 3(5) of the B.N.S.

3. As per the prosecution case, the informant has alleged that she was in relationship with the petitioner for the last four years. It is further alleged that on the pretext of false promise of marriage, the petitioner had made physical relationship with the informant. It is further alleged that the petitioner thereafter stopped talking to the informant and hence



the present F.I.R.

4. The learned counsel for the petitioner submits that petitioner has falsely been implicated only because the relationship between the petitioner and the victim has turned sour. It has further been submitted that the informant admittedly is major and she happens to be a graduate while the petitioner himself is matriculate hence the allegation of inducement is palpably false in the present case. It has further been submitted that for the last four years, no complaint whatsoever was made by the informant and only when their relationship was not going well, the present case has been lodged with a false and concocted story. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Court below where the case is pending/successor court in connection with Babarganj P.S. Case No. 151 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(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 on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(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 bail bond.

(v) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond 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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