

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89796 of 2025**

Arising Out of PS. Case No.-146 Year-2025 Thana- MAHILA PS District- Darbhanga

Abhishek Mohan Jha Son of Ram Naresh Jha Resident of village Mahinam,
P.S.- Bahera, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Mr. Shailendra Kumar Singh

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

2 15-01-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 69, 115(2), 126(2), 351(2), 352 of the B.N.S.

3. The allegation in the first information report is that the petitioner sexually exploited the informant on false pretext of marriage for last eight years.

4. Learned counsel for the petitioner submits that the petitioner happens to be the cousin of the husband of the informant and it is the case of the prosecution itself that he was frequently visiting the house of the informant while the husband of the informant was living at Mumbai. The allegation of having relationship with the informant for a period of eight years on the



pretext of marriage indicates that the said relationship, if any, between the informant and the petitioner would be a consensual relationship between two adults and would not amount to offence of rape. It has also been submitted that there is land dispute between the parties and an informatory petition had been filed on behalf of the father of the petitioner against the informant.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Taking into consideration the facts and circumstances and also considering that the relationship between the petitioner and the informant having continued over a period of eight long years is clearly indicative of a consensual relationship between the parties and the petitioner happens to be the cousin of the husband of the informant, let the above named petitioner, who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail 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 Mahila



P.S. Case No. 146 of 2025, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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