

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90287 of 2025

Arising Out of PS. Case No.-52 Year-2024 Thana- MAHILA P.S. District- Samastipur

Amarjeet Kumar S/O Ramadhar Sah R/O Village - Rupauli, P.S. -
Musharigharari, Dist. - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kamni Kumari D/O Suraj Paswan R/O Village - Hundahiya Rupauli, P.S. -
Musharigharari, Dist. - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s	:	Ms. Usha Kumari 1, APP
For the Informant	:	Mr. Abneesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-02-2026 1. Heard learned counsel for the petitioner, the
learned APP for the State and the learned counsel appearing on
behalf of the informant.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 323, 341, 376, 313, 504 and 506 of the Indian Penal
Code and Sections 4 and 6 of the POCSO Act and Sections 3(1)
(r), 3(1)(w)(i) of the SC/ST (POA) Act.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and in sum and
substance the allegation is that petitioner on pretext of marriage
established physical relations and later resiled from marrying



the informant.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that the relationship was in between two consenting adults. It is also submitted that right from the beginning, there was no assurance of marriage. It is next submitted that when such relationship turns sour, a false case is instituted.

5. Learned A.P.P. for the State as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application. Learned counsel appearing on behalf of the informant submits that statement of the victim was recorded under Section 183 BNSS wherein she has supported the case of the prosecution and has stated that petitioner was her neighbour and they came in contact in the year 2022 and since then petitioner on pretext of marriage started establishing physical relation and even took her to the house of his maternal uncle where she stayed for 4-5 days and in those 4-5 days also the petitioner established physical relation, but then when informant asked the petitioner to marry, the maternal uncle of the petitioner declined on the ground of fear of the society, since they belong to different caste. It is also submitted that twice her



pregnancy was aborted.

6. Learned counsel appearing on behalf of the petitioner, at this stage, submits that from perusal of the statement of the victim recorded under Section 183 BNSS, it would manifest that the petitioner and the informant were in a relationship. It is also submitted that since petitioner and the informant belonged to different caste, as such, petitioner never assured that he will marry the informant. It is also submitted that though it is alleged that pregnancy was aborted, but then the said bald statement has been made only to give seriousness to the case. It is also submitted that apart from petitioner, his other family members were also implicated with false allegation. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

7. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge POCSO, Samastipur in connection



with Mahila P. S. Case No. 52 of 2024, subject to the conditions
laid down under Section 482(2) of the BNSS.

**8. Accordingly, the instant anticipatory bail
application stands allowed.**

(Satyavrat Verma, J)

Rishabh/-

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

