

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91182 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- MAHILA P.S. District- Araria

Md. Mobin Alam S/o Arif R/o Village - Kursail, Ward No. 03, P.S - Mahalgaon, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-01-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Mahila P.S. Case No. 43 of 2025, registered for the offences punishable under Sections 76/69/352/351(2)/351(3)/3(5) of the BNS.

3. Allegedly on the pretext of marriage, the petitioner sexually exploited the informant and also extracted Rs.3,00,000/- in the name of pursuing studies.

4. Learned Advocate for the petitioner referring to the FIR contended that besides the fact the informant is a major, she herself disclosed her age to be 25 years and has categorically stated that she was in relationship for the last two years, it is manifest that the same was consensual in nature. Later on, when the marriage of the petitioner solemnized with other woman and



there was a dispute with regard to transaction of money, the present FIR came to be instituted with a view to settle the score. Even if as per the FIR, the altercation took place on 18.08.2025 and allegedly the petitioner along with other accused persons have abused and assaulted, the present FIR came to be instituted on 03.09.2025. The petitioner is a student pursuing his studies in Farukhabad, Uttar Pradesh and since the informant wants to marry with the petitioner, the present FIR came to be instituted is the contention of the learned Advocate for the petitioner. The petitioner bears fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner has exploited the informant and made physical relationship on the pretext of marriage and later on refused to solemnize the marriage.

6. Regard being had to the submissions set forth on behalf of the parties and taking note of the nature of allegation, especially the fact that the parties were in relationship for the last two years without any complaint against each other as also the fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of



receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Araria in connection with Mahila P.S. Case No. 43 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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