

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.823 of 2026

Arising Out of PS. Case No.-93 Year-2025 Thana- PARSAUNI District- Sitamarhi

Abhishek Kumar S/O Madan Ram R/O village- Buniyadi Tola, ward no. -9,
P.S.- Riga, Dist. - Sitamarhi

... .. Petitioner/s

Versus

- 1 . The State of Bihar Patna
- 2. Alka Kumari D/O Ram Vishwas Ram R/O village- Muraul, ward no.- 1,
P.S.- Parsauni, Dist. - Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar , Advocate
For the Opposite Party/s : Mr. Shaheen Begum , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-01-2026 Heard learned counsel for the petitioner, informant
and the State .

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under sections 69 of BNS and 3/ 4 of
the D. P Act.

3 . The prosecution case , in brief, is that informant
was in longstanding relationship with the petitioner, who
allegedly promised to marry her. Based on the said promise,
the informant entered into physical relationship with the
petitioner. Relationship lasted for one year and thereafter,
petitioner and other accused persons started demanding dowry
and later on this petitioner refused to marry her.



4. Learned counsel for the petitioner submits that prosecution case set out in the F.I.R. is false and concocted. The informant was major and was conscious of all consequences of intimate relationship which continued for one year. The act of repeated intimacy and sexual relationship was totally consensual in nature and was not established under any false promise , threat or coercion . He further submits that it is a case of long voluntary love affair between two consenting adults which had been given a colour of forcibly sexual intercourse with oblique purpose and motive . Petitioner claims clean antecedent.

5 . Learned counsel for the State and informant opposed the bail petition of the petitioner.

6. Considering the fact that both the parties were major when the relationship developed between them and informant was well aware of such relationship and its consequences and as such, the same will not amount to any criminal offence , in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above , 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 the learned SDJM Sadar Sitamarhi in connection with Parsauni P.S. case No. 93 of 2025 , subject to the



conditions laid down under section 482 (2) of BNSS 2023 .

(Prabhat Kumar Singh, J)

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