

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2393 of 2026

Arising Out of PS. Case No.-896 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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Suman Tiwari @ Sumant Tiwari S/o Ram Kishor Tiwari Resident of Village-
Chhparabahas, P.S.- Sugauli, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o Naresh Singh R/o Village- Mahadeo, P.O. Maudah, P.S.- Sahiyara,
Dist.- Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raju Giri, Sr. Advocate Mr. Harsh Vardhan, Advocate Mr. Chetan Anand, Advocate Mr. Harsh Raj, Advocate
For the Opposite Party/s :		Mr. Surendra Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 23-02-2026 Heard learned senior counsel for the petitioner and

learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in Motihari town P.S. Case
No. 896 of 2025 instituted for the offences under Sections 64,
89, 126(2), 115(2), 352, 351(2), 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. Prosecution case, in short, is that, on false promise
of marriage, the petitioner allegedly established physical
relations with the informant for seven years and got her



pregnancy aborted; thereafter, he allegedly assaulted her, demanded ₹50 lakhs for marriage, and threatened to kill her.

4. Learned senior counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 06.09.2025 and has no criminal antecedent. On recovery, the statement of the victim has been recorded under Section 183 of the BNSS in which she has stated that the petitioner established physical relations with her for seven years on the pretext of marriage. The petitioner is alleged to have established physical relationship on the assurance of marriage. Subsequently, for one reason or the other, the marriage could not be solemnized and for the said reason, the present case has been instituted. Learned counsel for the petitioner submits that the said relationship was a consensual relationship between the parties. He has further placed reliance on cases of the Hon'ble Supreme Court since reported in *2018 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharashtra & Ors)* and *(2019) 9 SCC 608 (Pramod Suryabhan Pawar vs. The State of Maharashtra and Ors.)*. Learned counsel further submitted that police, after completion of investigation submitted charge-sheet against the petitioner under Sections 64, 89, 126(2), 115(2), 352,



351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submission of charge-sheet against the petitioner in the aforesaid Sections as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Motihari Town P.S. Case No. 896 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or a close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.



In case of violation of any of the aforesaid conditions,
the Trial Court shall be at liberty to cancel the bail bonds of the
petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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