

**The Court of Sri. Baljinder Pal, Additional Sessions Judge-Ist,  
Kaimur at Bhabhua**

**A.B.P. No. 1024 of 2026**

**(Arising out of Mahila PS Case No. 38/2026 registered u/ss 115(2), 126(2),  
69, 351(2), 352, 3(5) of the BNS)**

**In the matter of :**

Suraj Kumar S/o Tufani Ram, aged about 34 years.

R/o Bhabhua Ward No. 14, Ambedkar Nagar, PS-**Chainpur**, Distt-Kaimur.

**.....Petitioner**

V/s

The State of Bihar

**.....O.P.**

CrI. Antecedent :- 0 (as per para- 3 of bail application)

Ld. Counsel for the petitioner : Sri Ghanshyam Kumar.

Ld. A.P.P. for the State : Sri Virendra Prasad Singh.

**ORDER**

**Date : 29.06.2026**

**1.** Anticipatory Bail Application, dated 05.06.2026, received for disposal on 06.06.2026, filed on behalf of the petitioner above named, apprehending his arrest in connection with Mahila PS Case No. 38/2026 registered for offence punishable u/ss 115(2), 126(2), 69, 351(2), 352, 3(5) of the BNS, is moved for hearing.

Informant appeared in the Court along with his Ld. Advocate Sri Shiv Shankar Singh. Case diary called from the ABP No. 860/2026.

Heard both sides.

**2.** The Ld. Advocate on behalf of the petitioner submitted that no anticipatory bail or regular bail earlier filed or pending before this Court or before the Hon'ble High Court, Patna. The Ld. Advocate further submitted that the petitioner has no criminal antecedents.

The Ld. Advocate further submitted that the accused/petitioner has committed no offence as alleged, he is totally innocent and there was engagement of the accused/petitioner with the informant of the case and conversation

through mobile phone and during the same process, the accused/petitioner had gifted a mobile phone to the informant and she used to take the said mobile phone in the college also and has used to call the petitioner for meeting so they started meeting also one day she came to Bhabhua and call the petitioner on mobile of pretext of filling a form and when when she after handing over the gifting mobile phone in the hand of the informant or went toilet, chat from other boys came on the mobile due to which the informant was surprised because it had content to love affair with other boys and the informant transferred the data from the said mobile in his mobile and inquiry from the informant about the chatting with other boys, she replied that she is having old first affair with the said boy and she cannot forget him but she will marry with the petitioner regarding which Panchayti was convened but the informant was not ready to give up his old relation of alleged love affair, therefore, the petitioner filed a petition before the CJM, Kaimur at Bhabhua bearing Complaint No. 252/2026, dated 25.04.2026, which is still pending before the Ld. CJM in inquiry evidence. The Ld. Advocate further submitted that the accused/petitioner had never made physical relations as alleged on pretext of marriage and neither committed any other overt act against her will and the accused/petitioner was satisfied in all regards and was ready to marry her and date was fixed with the consent of both the families but due to affairs of the informant with other persons even after the engagement, she used to chat with other boys and the accused/petitioner had tried to make her understand that they are going to marry and to proceed further from the stage of her old affairs but there was no change in the behavior of the informant, therefore, and she kept on chatting with other boys, therefore, the engagement was broken and the informant/victim has filed the present case against the petitioner and all his family members.

**3.** The Ld. Advocate on behalf of the informant and Ld. APP on behalf of the State both submitted that after having the physical relations with the informant on pretext of marriage after engagement, the accused/petitioner retracted his promise of marriage and no such mobile was in the possession of the informant

and neither she had made any chat but the said mobile is still in possession of the accused/petitioner, which is sufficient to infer that the chat with other alleged persons is concocted one on behalf of the petitioner. The Ld. Advocate further submitted that for the sake of arguments if it is presumed that there was chatting that does not infer that she had love affair with different persons and oppose the anticipatory bail with further submission that other co-accused of the case were only the family members of the informant having no allegation u/s 69 of the BNS.

4. After hearing the submissions of both sides, it is revealed that the engagement of the petitioner was made with the informant by the families of both sides and marriage was fixed on 27.05.2026 and as alleged the conversation and meeting between the informant and the petitioner started and the petitioner called her in hotel and made physical relation on the assurance of marriage in near future as the marriage was already fixed for 27.05.2026 but retracted from his promise and regarding chatting it is alleged by the informant that no such mobile was available with him and the said mobile is of the accused/petitioner himself and in his possession and the accused has exploited her from January to April 5 to 6 times in a hotel but then denied the marriage and on 15.04.2026 he had taken the informant as Maa Mundeshwari Palace (Hotel), Akhlaipur and made physical relation on promise of marriage. The Court is not inclined to grant anticipatory bail to the accused/petitioner and the anticipatory is hereby **dismissed**.

5. The observations made in this order are only on the basis of submission and material available on record, for the purpose of disposal of the anticipatory bail application and should not be regarded as an opinion in investigation, inquiry or trial.

(Dictated)

**sd/-**

(Baljinder Pal)  
Additional Sessions Judge-1  
Kaimur at Bhabhua