
(2026) 08 JH CK 3707
In the Jharkhand High Court
Case No : A.B.A. No. 4294 of 2026

Birendra Choudhary

APPELLANT

Vs

The State Of Jharkhand

RESPONDENT

Date of Decision : 04-08-2026

Acts Referred:

BNS, 2023 — Section 126(2), 115(2), 351(2), 351(3), 352, 69
Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023 — Section 482(2)

Citation : (2026) 08 JH CK 3707

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : Mr. Abhay Kumar Chaturvedi, Mr. Praful Jojo

Judgement

2/04.08.2026 Heard learned counsels for petitioner and for State.

2. The petitioner is apprehending his arrest in connection with Ramna PS Case No.45 of 2026, for offence registered under section 126(2), 115(2), 351(2), 351(3), 352, 69 of BNS, 2023, pending in court of learned Judicial Magistrate First Class, Nagar Utari, Garhwa.

3. Learned counsel for petitioner submits that the petitioner has been falsely implicated in this case and what has happened that was consensual in nature. He next submits that in the FIR itself it is admitted that the informant is aged 33 years and she is married. He next submits that the allegations are made that since last five years they were in relationship and the allegations are made that on the pretext of marriage, relationship was established. He submits in view of that anticipatory bail may kindly be granted.

4. Learned State counsel opposes prayer and submits that the allegations are there of establishing relationship on the pretext of marriage.

5. In the FIR itself it has been stated that the informant is a married lady and she is aged 33 years and the allegations are made that they were in relationship since last five years. A reference may be made to the case of **Sonu @ Subhash**

Kumar v. State of Uttar Pradesh and Others reported in **2021 Supreme SC 182**, and in the attending facts and circumstances of the present case, I am inclined to grant anticipatory bail to petitioner.

6. Accordingly, petitioner, above named, is hereby directed to surrender before learned court within three weeks from today, and in event of his surrender/arrest, petitioner, above named, shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties of like amount each, to satisfaction of learned Judicial Magistrate First Class, Nagar Utari, Garhwa, in connection with Ramna PS Case No.45 of 2026, subject to the conditions as laid down under section 482(2) of Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023.