

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25477 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- Kumarbagh District- West Champaran

Manish Kumar Son of Vikash Kumar @ Vikash Kumar Ram @ Birendra Ram
village- Karanmeya PS -Bettiah Muffasil District -West Champaran
... .. Petitioner

Versus

1. The State of Bihar
2. X Daughter of Late Sukhadi Ram village- vishunpur, Madakar, Ward no. 11,
Panchayat- Lakhauta, Ps- Kumarbagh, Dist- west Champaran.
... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Kumarbagh P.S. Case No. 104 of 2024,
dated-19.11.2024 registered for the offences punishable under
Sections 126(2), 87, 64, 352, 351(2), 3(5) of the B.N.S., 2023.

3. As per allegation, a eighteen year old informant
lady was enticed by the petitioner and co-accused and taken to
Bettiah, where the petitioner established physical relationship
with her for about one week making promise to marry her. As
per further case, she was later on left at the railway station to
return to her house.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the informant is a major being eighteen years of age. He further submits that there is no truth in the allegation of kidnapping or promise to marry. As a matter of fact, this false case has been filed to put pressure on the petitioner to marry her. He also refers to the statement of the informant lady as recorded under Section 183 of the B.N.S.S., 2023 (Section 164 Cr.PC), under which she has deposed that the petitioner wants to marry her but his father is not allowing him and he wants dowry. He also refers to one application filed by the informant before the learned Court below to the effect that she has no grievance against petitioner and she does not want to pursue the case.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named,



to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Kumarbagh P.S. Case No. 104 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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