

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37702 of 2025**

Arising Out of PS. Case No.-652 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

Manoj Kumar S/o- Late Parshuram Singh, Resident of Village - Pandey  
Bamhour, P.S. - Mohania, District - Kaimur (Bhabua).

... .. Petitioner

Versus

1. The State of Bihar.
2. Anil Kumar S/o- Late Amardev Ram, R/o Village and PO- Panapur, PS-  
Mohania, Dist- Kaimur.

... .. Opposite Parties

**Appearance :**

For the Petitioner/s : Mr. Kumar Sunil, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      18-06-2025                      Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in  
connection with Mohania P.S. Case No. 652 of 2024, registered  
for the offence punishable under Section 87 of the B.N.S., 2023.

3. As per the prosecution case, the twenty year old  
daughter of the informant left her house after some altercation  
with her mother. Subsequently, the informant came to know that  
someone enticed away his daughter.

4. Learned counsel appearing on behalf of the  
petitioner submits that petitioner is innocent and has falsely  
been implicated in the present case. It is apparent from the FIR



that the girl left her house on her own and she is major. She was not kidnapped. FIR has been lodged after a delay of four days for which there is no explanation. From the rejection order it appears that prayer for bail of the petitioner was rejected on the ground that the victim girl in her statement recorded under Section 183 of the B.N.S.S. has stated about the petitioner having made relationship with her, but nowhere it has been mentioned that the petitioner kidnapped the victim girl or forced her in establishing sexual relationship with him under the pretext of marriage. No forceful act was committed by the petitioner and in these facts and circumstances, it appears that the physical relationship was consensual. Learned counsel lastly submits that petitioner is having clean antecedent and is in custody since 08.03.2025 and chargesheet has been submitted.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact about voluntary nature of act of the daughter of the informant in leaving her house and also considering the clean antecedent of the petitioner and his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be



released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Mohania, Kaimur (Bhabua) / concerned Court, in connection with **Mohania P.S. Case No. 652 of 2024**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

**(Arun Kumar Jha, J)**

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