

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48330 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- Kavaiya District- Lakhisarai

Suraj Kumar S/O Manoj Mandal @ Maoj Mahto R/O Village- Lahuara, P.S-
Halsi, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar, Adv.
For the Opposite Party/s	:	Mr.Ashok Kumar Singh, A.P.P.
For the Informant	:	Mr. Bijay Kumar Pandey, Adv.
		Mr. Mukesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 16-10-2025 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 Kabiya P.S. Case No. 104 of 2025, registered for the offences under Sections 87, 115(2), 127(2), 3(5) of the BNS.

3. As per the prosecution case, the daughter of the informant was forcibly taken away by the petitioner with the help of his four associates to the house of his maternal aunt (*mausi*). When the informant reached there she was confined in a room and after 30 minutes when she was released she found her daughter missing.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The true fact of the case is that the petitioner has negotiated the marriage of his sister with son of the informant and he transferred Rs. 50,000/- to the informant in cash and gifts of Rs.1,25,000/-. However, subsequently, the informant refused to marry his son with the sister of the petitioners. In order to grab the gifts and money, this false case has been lodged. Further, the petitioner and the victim girl got married in November, 2024 out of their sweet will but as the parties had not completed the statutory age of marriage the girl came back to her house. The statement of the victim girl was recorded under Section 180 of the BNSS as well as under Section 183 of the BNSS. From the statements it is apparent that the victim girl was in love with the petitioner. It was the petitioner who got the victim girl admitted in college. Learned counsel further submits that the petitioner wants to keep the victim girl as he has married her and she is his wife. The petitioner is in custody since 31.03.2025 and he has no criminal antecedent. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State as well as learned counsel for the informant oppose the submission made on behalf of the petitioner. Learned counsel for the informant



submits that from the statement of the victim girl recorded under Section 183 of the BNSS this fact is apparent that the petitioner forcibly established relationship of husband and wife with the victim girl. It has also come in the same statement that she was forcibly taken away by the petitioner after returning her for the first time.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the improbable nature of accusation and also considering submission of charge sheet and period of custody of the petitioner and his clean antecedent, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai/concerned court, in connection with Kabiya P.S. Case No. 104 of 2025, subject to the condition laid down under Section 480(3) of the BNSS 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 absence on three consecutive dates 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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