

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49525 of 2025**

Arising Out of PS. Case No.-120 Year-2025 Thana- DHORAIYA District- Banka

Manish Kumar S/O Raj Kishor Mandal R/O Village- Madhuban Tola, P.S-  
Pirpainti (Bakharpur), Distt.- Bakharpur), Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Kumari D/O Bishnu Mahaldar R/O Village- Assi, P.S- Dhoraiya,  
Distt.- Banka.

... .. Opposite Party/s

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr.Sanjay Kumar Jha, Adv.    |
| For the Opposite Party/s | : | Mr.Awadhesh Kumar Singh, APP |
| For the Informant        | : | Mr. Ganesh Sharma, Adv.      |

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

4      09-10-2025                      Heard learned counsel for the petitioner and learned  
  
APP for the State as also learned counsel for the informant.  
  
Perused the case diary.

2. The petitioner seeks bail in connection with  
Dhoraiya P.S. Case No. 120 of 2025 (G.R. No. 1171 of 2025)  
instituted for the offences under Section 69 of the Bhartiya  
Nyaya Sanhita, 2023.

3. As per prosecution case, on the alleged day of  
occurrence i.e. on 02.01.2025, the petitioner came at the house  
of the informant and established physical relationship with her  
on the pretext of marriage. It is also alleged that the petitioner  
was establishing physical relationship with the informant for the



last three years on the assurance of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that there is delay of three months in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. Learned counsel for the petitioner further submits that the victim lady is major and there was a friendship between them on social media for the last three years. He further submits that the petitioner has never made any physical relation with the victim lady and there was only a friendship between them and the informant was adamant to get marry with the petitioner and, on denial for the same, the present false case has been instituted against the petitioner. Learned counsel for the petitioner lastly submits that no case under Section 69 of the B.N.S. is attracted against the petitioner as the relation was with the consent of the informant who is a major lady. The petitioner has no criminal antecedent and is languishing in judicial custody since 09.04.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the informant have vehemently opposed the prayer for grant of



bail to the petitioner. The victim girl in her statement recorded under Section 183 of the B.N.S.S. has supported the allegation made against the petitioner. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner for offence under Section 69 of the Bhartiya Nyaya Sanhita, 2023.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhoraiya P.S. Case No. 120 of 2025 (G.R. No. 1171 of 2025).

**(Rudra Prakash Mishra, J)**

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