

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.761 of 2026

Arising Out of PS. Case No.-450 Year-2025 Thana- HISUWA District- Nawada

Kaushal Kumar, S/o Late Arun Prasad R/o Village - Bermi, P.S. - Kadirganj
(Town P.S.), Dist - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y R/o Village - Hadsa, P.S. - Hisua, Dist. - Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 03-04-2026 Heard Mr. Pramod Kumar Verma, learned counsel

 appearing on behalf of the petitioner and Mr. Dr. Ajeet Kumar

 learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Hisua P.S. Case No. 450 of 2025 registered for the
offence(s) punishable under Sections 376(1) and 506 of the
BNS and Section 6 of the POCSO Act.

3. As per the allegation made in the FIR, the
petitioner established physical relationship with the daughter of
the informant on the pretext of marriage.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Learned counsel further



submitted that the petitioner and the informant are in relationship and informant has also accepted the said relationship in her statement recorded under Section 183 of BNSS. Learned counsel further submitted that in paragraph no.9 of the bail application, he has given specific information that petitioner solemnized marriage with the informant and they are living happily with each other.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the statement of the victim recorded under Section 183 of BNSS, it is evident that the petitioner and the informant are/were in relationship and informant has also accepted the said relationship in her statement recorded under Section 183 of BNSS. Learned counsel in paragraph no.9 of the bail application has given specific information that petitioner solemnized marriage with the informant and they are living happily with each other. The same is reproduced hereinafter:-

“9. That fact is that victim is major and her date of birth is 03-06.2007 and they performed marriage on 06-10-2025 at Shri Baba Shobhnath Panchmukhi Mahadev Mandir, Nawada and petitioner is ready to keep the victim with full honour and dignity.”

7. The petitioner and the informant are major, the



petitioner is directed to released on pre-arrest bail, **subject to the verification of information contained in paragraph 9 of the bail application,** in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge-VI-cum-Special Judge (POCSO Act), Nawada / Concerned Court in connection with Hisua P.S. Case No. 450 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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