

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7720 of 2026

Arising Out of PS. Case No.-138 Year-2025 Thana- KONCH District- Gaya

Deepak Kumar S/o Sabindra Sharma R/o Village - Lodipur, P.S - Konch,
District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the State : Mr. Upendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-04-2026 Heard Mr. Mrigendra Kumar, learned counsel
for the petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Konch P.S. Case No. 138 of 2025 registered for the offence under Sections 96 of the Bharatiya Nyaya Sanhita, lodged on 26.02.2026 by the informant, Swetima Mishra.

3. As per the prosecution story, the informant alleged that on 25.02.2025, her minor daughter went out but failed to return, sensing the role of the petitioner, the F.I.R..

4. Learned counsel for the petitioner submits that both were in a relationship, the girl moved out of the house on her own, called the petitioner and went to Banaras where they solemnized marriage. With the help of Annexure-2 which is a medical report, he submits that the girl has been found to be



between 18 to 19 years.

5. Learned APP opposes the prayer submitting that the F.I.R. shows that the girl was minor.

6. In this case, the coordinate Bench had called for the case diary and statement of the victim girl which is/are on record and the girl has recorded that she moved on her own, went to Banaras and solemnized marriage. Later, it has further been recorded that if she goes to her parents home, they will solemnize her marriage to a different place.

7. Taking into account the aforesaid facts/submissions put forward by the parties as also the medical report, this petitioner do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-8, Gaya Ji, in connection with Konch P.S. Case No. 138 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

