

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36375 of 2026

Arising Out of PS. Case No.-690 Year-2025 Thana- MANER District- Patna

=====

Lav Kumar S/o Deepak Kumar @ Dipak Kumar R/o- Gayaspur P.s- Maner
Dist-Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. X S/o Y R/o Ahiyapur, Gayaspur, P.s.- Maner, Distt.- Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-07-2026 Heard Learned Counsel for the petitioner, learned
Counsel for the Informant and learned APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Maner P.S. Case No. 690 of 2025, lodged on 15/09/2025, under Sections 137(2), 96. 352, 351(3), 3(5) of the Bhartiya Nyaya Sanhita, under Sections 8/12 of the POCSO Act and under Sections 9/10 of the Child Marriage Prohibition Act.

3. As per the prosecution, FIR has been lodged against the present petitioner by the father of the informant that her



daughter went nearby shop to purchase medicine and the present petitioner along with one another had kidnapped her daughter. The allegation of earlier complain with the victim girl has also been alleged in the FIR with regard to outrage her modesty.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that antecedent of the petitioner is clean and he is in custody since 26/09/2025. Counsel submits that on the previous occasion, case diary along with the statement of the victim girl recorded under Section 183 of the BNSS was called for. Counsel submits that by virtue of her statement under Section 183 of the BNSS, she has not alleged anything against the present petitioner. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned Counsel for the Informant opposes the prayer for bail of the petitioner and submits that the petitioner is minor. He submits that the allegation of solemnization of marriage is alleged which has come during investigation. He submits that the consent of minor is of no value.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that case diary was called for



and statement under Section 183 of the BNSS has also been recorded which is placed before the Court.

7. Upon perusal of the statement, this Court put specific question to the Counsel for the Informant that where the victim is living? Counsel for Informant answered that the victim is living with his father and mother.

8. Upon perusal of the statement recorded under Section 183 of the BNSS, it transpires that the petitioner has not used any force on the said victim and he is in custody since 26/09/2025.

9. Considering this aspect of the matter, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Exclusive Special Judge (Rape & POCSO), Patna in connection with Maner P.S. Case No.690 of 2025 subject to the conditions as laid down U/s 480(3) of the BNSS, 2023.

(Dr. Anshuman, J)

Mkr./Anshuman/

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

