IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44837 of 2026

CNR No. BRHC010624882026

Arising Out of PS. Case No.-91 Year-2024 Thana- Sahayak Khajanchi District- Purnia

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Manshukh Kumar @ Mansu Kumar @ Manshukh Son Of Mantu Das R/o Netaji Chowk, P.s.- Sahayak Khazanchi, District- Purnea

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivam, Advocate
: Ms. Sushmita Mishra, Advocate
: Mr. Niraj Kumar, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

5 27-10-2026 Heard learned Advocate for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Sahayak Khazanchi P.S. Case No.91 of 2024 registered for the offences punishable under Sections 363 & 366 of the Indian Penal Code.

3. The allegation against the petitioner is of enticing away the daughter of the informant on the pretext of marriage.

4. Learned Advocate for the petitioner, referring to the F.I.R., submitted that a bare perusal thereof reveals that the daughter of the informant had been married to one Rakesha Das about ten years prior to the alleged occurrence. However, owing

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to strained relations with her husband, she had been residing with her mother. It was further submitted that the victim has a son aged about 11 years and, in such circumstances, the allegation that she was taken away by the petitioner for the purpose of marriage appears to be wholly unfounded. Learned Advocate further submitted that, even if the allegations levelled in the F.I.R. are taken to be true for the sake of argument, the relationship between the petitioner and the victim appears to have been consensual in nature. It was contended that the present F.I.R. had been instituted against the petitioner with the intention of exerting pressure upon him to solemnize marriage with the victim. It was further submitted that the age of the victim has been recorded as 26 years in the F.I.R., whereas the petitioner is a young person aged about 20 years and bears fair antecedent. On these grounds, learned Advocate further contended that the allegation of alluring and enticing away the victim on the pretext of marriage is not sustainable. It is lastly contended that the petitioner undertakes that he will fully cooperate in the proceedings of the Court.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application.

6. Having considered the rival submissions advanced

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by learned Advocates for the respective parties and taking note of the statement of the victim, wherein she has categorically stated that, out of love and affection, she voluntarily left her house along with her 11-year-old son, this Court finds that, *prima facie,* the relationship between the petitioner and the victim appears to have been consensual in nature. Further, both the petitioner and the victim are major, besides the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sahayak Khazanchi P.S. Case No.91 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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