IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51179 of 2026

CNR No. BRHC010712742026

Arising Out of PS. Case No.-25 Year-2026 Thana- HATHIDAH District- Patna

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Rajesh Chauhan @ Rajesh Kumar S/o Sudeshwar Nonia Resident of village - Pakhanpura, Benibigha, P.s.- Barh, Distt.- Patna

... ... Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y R/o vill - Hathidah, P.S.- Hathidah, Distt.- Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP
For the Informant : Mr. Kumar Mangalam, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

6 28-10-2026 Heard learned counsel for the petitioner, learned APP for the State, learned counsel for the informant and perused the case diary.

2. The petitioner seeks bail in connection with Hathidah P.S. Case No. 25 of 2026, instituted for the offences punishable under Sections 137(2) and 96 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on 21.03.2026 at about 1:00 P.M., the informant's 15-year-old daughter went to school but did not return home, and her whereabouts could not be traced despite search. It is further

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alleged that, as she was in contact with petitioner over the mobile phone, the informant suspected that he had enticed her away with an illicit purpose.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the petitioner has not committed any such offence as alleged against him. There is inordinate delay of six days in lodging the FIR. It is next submitted that the petitioner and the victim were in love and both of them left their house on their own will. It is further submitted that statement of the victim has been recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, wherein she has also stated that she had left her house on her own will and voluntarily married the petitioner in a temple. The petitioner is in custody since 06.04.2026 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State also submits that specific allegation has been attributed against the petitioner of enticing away the minor daughter of the informant. It is next

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submitted that the petitioner has solemnized marriage with the victim who is a minor girl and subsequently charge-sheet has been submitted under Sections 137(2), 96 and 64 of the Bharatiya Nyaya Sanhita, 2023. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

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