IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64322 of 2026

CNR No. BRHC010872062026

Arising Out of PS. Case No.-12 Year-2026 Thana- SITAMARHI District- Nawada

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Suraj Manjhi @ Raj Kumar Manjhi @ Raj Kumar Son of Rajesh Manjhi Resident of Village-Babhanbigha (Wanbigha), P.S.-Barbigha, District-Sheikhpura.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Mr. X Mr. Y Informant of Sitamarhi P.S. Case No.-12/2026. Resident of Village-Shankarbigha, P.S.-Sitamarhi, Block-Meskaur, District-Nawada.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ram Murti, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

3 29-10-2026 Heard the learned counsel for the petitioner and the learned APP appearing on behalf of the State. Despite valid service of notice upon the opposite party No. 2, none is appearing on behalf of opposite party No. 2.

2. The petitioner seeks bail in connection with Sitamarhi P.S. Case No. 12 of 2026, registered for an offence under Sections 137(2) and 96 of B.N.S.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that on 13.01.2026, at around 10:00 in the morning, all of a sudden his daughter became traceless. He

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tried his levelled best to search her at the place of relatives and other places, however she could not be traced. On 21.01.2026, at around 10:00 in the morning, he received a phone call from an unknown number bearing mobile no. 9279070095 and the caller on the other side was his daughter. She disclosed the informant that she was lured by the petitioner herein, in connivance with his elder brother. Informant disclosed that his daughter is a minor girl.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He submits that the true fact is that the daughter of the informant was in an affair with the petitioner and she herself left her home and reached at the place of the petitioner and thereafter, both of them performed marriage before a notary on 27.02.2026. He next submits that the victim girl after her recovery, in her statement under Section 183 of the B.N.S.S., did not support the case of the prosecution and she even refused to go for any medical check up. He submits that the date of occurrence is 13.01.2026, however, the first information report has been lodged on 21.01.2026. The learned counsel for the petitioner submits that the petitioner is in judicial custody since 12.06.2026, without any criminal antecedent.

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5. *Per contra,* the learned A.P.P. appearing on behalf of the State, while opposing the prayer for bail of the petitioner submits that the petitioner has been named as an accused in the present case, who took away the daughter of the informant along with him, in connivance with his brother.

6. Having considered the rival submissions and after going through the records as well as the case-diary, the statement of the victim girl recorded under Section 183 of the B.N.S.S. and the medical report, it would transpire that after her recovery, the victim girl in her statement made under Section 183 of the B.N.S.S. disclosed that on 13.02.2026 at around 9:00 in the morning, she, without informing anyone went out of her house on her own and reached Narhat. From there, she went in an auto to Hisua and from there, to Rajgir. She boarded a train from Rajgir and reached New Delhi. From there, she went to meet the petitioner at Panipat and remained there for two months. The family members of the petitioner were also present there and she further disclosed that she knew the petitioner for the last four years. She further disclosed that she did not enter into any physical relation with the petitioner. She further refused to go for any medical check up, which appears from the medical report, which is recorded in paragraph No. 34 of the case-diary.

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Considering the statement of the victim girl recorded under Section 183 of the B.N.S.S. and her medical report, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-2, Nawada, in connection with Sitamarhi P.S. Case No. 12 of 2026, subject to the condition as laid down under Section 437(3) of the Code of Criminal Procedure/480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with following condition:

The Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

Anjali/-

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