IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62432 of 2026

CNR No. BRHC010881742026

Arising Out of PS. Case No.-21 Year-2026 Thana- Pastpar Pusthi District- Saharsa

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Mannu Kumar S/o Sadanand Kamati R/o Village- Pama Ward No.4, P.S- Pastpar, Dist- Saharsa.

... ... Petitioner/s

Versus

1. The State of Bihar
2. X Y R/o Village- Pama Ward No.6, P.S- Pastwar, Dist- Saharsa.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP
For the Informant : Mr. Sanjeet Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 05-11-2026 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 Pastpar P.S. Case No. 21 of 2026, instituted for the offences punishable under Sections 96, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023. After investigation, police has submitted charge-sheet under Sections 137(2), 96, 64(1) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 04, 06 of POCSO Act and Section 9 of Child Marriage Prohibition Act.

3. The prosecution case, in short, is that the petitioner

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along with two unknown persons, allegedly attempted to forcibly take away the informant's daughter on a motorcycle. When the informant intervened, the petitioner's family members allegedly abused and threatened her to kill.

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. It is next submitted that statement of the victim has been recorded under Section 180 of B.N.S.S., wherein she has stated that she left her house on her own will, went with the petitioner and solemnized marriage with him. It is further submitted that the victim changed her statement recorded under Section 183 of B.N.S.S. under the pressure of her parents. The petitioner is in custody since 22.05.2026 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 of kidnapping the minor daughter of the informant is levelled against the petitioner. It is further submitted that the petitioner has also solemnized marriage with

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the victim who is a minor and statement of the victim has been recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, wherein she has supported the prosecution case. 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 at this stage.

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

(Rudra Prakash Mishra, J)

Rajorshi/-

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