IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61494 of 2026

CNR No. BRHC010885362026

Arising Out of PS. Case No.-75 Year-2026 Thana- Nehra District- Darbhanga

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Rakesh Jha S/o Gopal Jha Resident of village - Mahrail, P.S - Nehra, District – Darbhanga ... ... Petitioner/s

Versus

The State of Bihar ... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Shambhawi, Advocate
For the State : Mr. Abhay Kumar, APP
For the Informant : Mr. Sachin Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

4 30-10-2026 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State as well as learned counsel appearing on behalf of the informant.

2. Petitioner is in custody in connection with Nehra P.S. Case no. 75/2026 registered for the offences punishable under Section 137(2), 96 and 3(5) of B.N.S.

3. As per the prosecution case, on 25.05.2026 at about 10:30 A.M., the daughter of the informant went missing from her house. The informant and his family members searched for her but could not trace her. The informant raised suspicion against four mobile numbers from which the victim had allegedly received calls prior to the occurrence. During investigation, the petitioner was allegedly found to be the holder/user of mobile numbers 7065339615 and 8368055776.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been

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falsely implicated in this case. She next submits that the victim willingly left her parents' house and there is no allurement and enticement on the part of the petitioner. She further submits that the petitioner and the victim also solemnized the marriage and the victim is currently living with her in-laws in her in-laws' house.

5. Learned counsel appearing on behalf of the petitioner further submits that charge-sheet has already been filed against the petitioner in the present case on 31.07.2026. She next submits that the petitioner is in custody since 09.07.2026 and he has clean criminal antecedents, as per the statement made in paragraph 3 of the bail application, therefore, the petitioner deserves the privilege of regular bail.

6. Learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant not oppose the submissions made by the learned counsel appearing on behalf of the petitioner and submit that the petitioner and the victim have solemnized marriage. Learned counsel appearing on behalf of the informant submits that the victim is currently living with her in-laws in her in-laws' house, therefore, he is not objecting against the bail application of the petitioner. Learned APP appearing on behalf of the State draws the attention of this

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Court towards the paragraph No. 87 of the case diary in which the victim has stated she willingly left the house of her parents and there is no enticement or allurement and forceful act on the part of the petitioner and the petitioner has not done anything wrong with the victim. Learned APP appearing on behalf of the State further submits that the victim do not support the case of the prosecution and the victim stated in paragraph No. 37 of the case diary that she has willingly solemnized marriage with the petitioner, therefore, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant have no objection if the bail is granted to the petitioner by this Court.

7. Considering the aforesaid facts and circumstances of the case and since there is no allurement or enticement on the part of the petitioner as well as the fact that the victim has willingly left the house of her parents and the victim and the petitioner have already solemnized the marriage and since the charge-sheet has already been submitted against the petitioner and the victim is currently living with her in-laws in her in-laws' house and as well as considering the period of custody, let the above named petitioner be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand), with two sureties of the

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like amount each to the satisfaction of the learned A.C.J.M.-VI, Darbhanga in connection with Nehra P.S. Case no. 75/2026, subject to the following conditions:

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step 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.

(Girijish Kumar, J)

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