IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64413 of 2026

CNR No. BRHC010918092026

Arising Out of PS. Case No.-85 Year-2025 Thana- Kasar District- Sheikhpura

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Dhiraj Kumar son of Rajesh Paswan Resident of Village -Sirsa Ghasi @ Chitroli PS -Lalganj District -Vaishali

... ... Petitioner/s

Versus

1. The State of Bihar
2. X son of Y Resident of Village- Sumka, Po- Chorwar, ps- Kasar, Dist- Sheikhpura

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ravish Mishra, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

3 29-10-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State. Despite issuance of notice and the same being personally received by opposite party no.2, none has appeared on her behalf.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 87 of the Bharatiya Nyaya Sanhita, 2023 but, later on, Section 8 of the POCSO Act was also added.

3. Minor daughter of the informant had gone to the college for submitting documents but she did not return back and her mobile phone was inaccessible.

4. It is submitted by learned counsel for the petitioner that

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the present case arises out of a love relationship between the petitioner and the victim, who is aged about 17 years i.e. at the verge of majority. As a matter of fact, she herself eloped with the petitioner and also solemnized marriage. Annexure-P/2 has been brought on record to substantiate the said argument. Further, during the course of investigation, the statement of the victim was recorded under Sections 180 and 183 of the B.N.S.S., wherein she has categorically admitted that she solemnized marriage with the petitioner and both are living as husband and wife. This fact would also be evident from the bail rejection order and also from the statement of the victim enclosed with the case diary. It is pointed out that the petitioner himself is aged about 22 years and undertakes to cooperate in the investigation.

5. Learned APP for the State opposed the prayer for bail.

6. Taking into consideration the facts and circumstances of the case and also considering the statement of victim herself indicating a consensual love relationship between them, 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/- (Rupees Ten Thousand) with two sureties of the like

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amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kasar P.S. Case No. 85 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

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