IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67573 of 2026

CNR No. BRHC010975862026

Arising Out of PS. Case No.-517 Year-2025 Thana- NAGAR District- Vaishali

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Abhimanya Singh @ Abhimanyu Paswan, Son of Manoj Paswan @ Manoj Singh, Resident of Village - Baraitha Mohaddinagar, Police Station - Mohaddinagar, District - Samastipur. Permanent Address - Zinzira Bazar Bandal Para 3 No. Pool Dist.- 24 Pargana, P.O.- Brace Bridge, P.S.- Maheshtala, West Bengal India.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Hemant Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 06-11-2026 Heard learned Advocate for the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Town P.S. Case No. 517 of 2025 registered for the offences punishable under Sections 137(2), 140(3), 352, 3(5), 351(3) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation against the petitioner is of enticing away the minor niece of the informant for the purposes of marriage and/or some illicit purpose. Getting knowledge of the aforesaid fact, when the informant went to the house of the petitioner, the other accused persons threatened her with dire consequences, which led to the institution of the present case.

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4. Learned advocate for the petitioner submitted that the entire case falls to the ground for the simple reason that when the statement of the victim was recorded under Section 183 of the BNSS, she categorically stated that she voluntarily left her house, as she was in love with the petitioner, and later on they solemnized marriage. During the course of investigation, it also transpired that even as per the Matriculation certificate, at the time of the alleged incident, she was aged about 18 years and, as such, the parties were major, hence, in no circumstances, any offence, much less, under Sections 137(2), 140(3), 352, 3(5), and 351(3) of BNS is made out. The petitioner is said to be a man of fair antecedent and undertakes that he will fully cooperate in the proceedings of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application.

6. Considering the fact and the statement of the victim recorded under Section 183 of the BNSS, wherein she has not supported the prosecution case and has categorically stated that none has kidnapped her and she wanted to go to her matrimonial home, besides her age has been determined to be 18 years at the time of incidence, let the petitioner, named above, in the event

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of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Town P.S. Case No. 517 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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