IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67130 of 2026

CNR No. BRHC010978602026
Arising Out of PS. Case No.-87 Year-2026 Thana- CHERKI District- Gaya

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Suman Kumar son of Ram Bilash Yadav Resident of Village -Aura PS- Magadh University District -Gaya jee

... ... Petitioner/s

Versus

1. The State of Bihar
2. Pradeep Yadav son of Late Mahavir Mahto Resident of Village -Iira PS -Cherki District -Gaya jee

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.
: Mr.Rakesh Singh, Adv.
For the Opposite Party/s : Mr.Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 05-11-2026 Heard Mr. Krishna Pd. Singh, Learned Senior Counsel with Mr. Rakesh Singh, Advocate for the petitioner, Learned APP for the State and learned counsel for the informant.

2. The petitioner is apprehending arrest in connection with Cherki P.S. Case No.87 of 2026 lodged on 01.06.2026, for the offences punishable under Sections 137 and 96 of the B.N.S., 2023.

3. As per the prosecution, FIR has been lodged against the present petitioner with allegation that the informant's daughter was traceless and on suspicion, the allegation has been made against the petitioner that with a view to marry, he has enticed the daughter of the informant.

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4. Learned Senior counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the alleged victim has been recovered and medical examination has also been taken place where she has been declared about 19 years old. He further submits that in her statement under section 183 of the BNSS, it has been submitted that both the petitioner and the victim had solemnized marriage and victim is residing with the petitioner and his family.

5. Learned Senior counsel submits that the criminal antecedent of the petitioner is not clean. There is one case pending against him in which he is on bail.

6. Learned counsel for the informant submits that marriage of the petitioner with the victim has been accepted by both the family and they are residing together. He further submits that informant has no objection if anticipatory bail has been granted to the petitioner.

7. Learned APP for the State opposes the prayer for bail of the petitioner, but fairly submits that the petitioner and daughter of the informant are residing together after marriage.

8. As such, in the present facts and circumstances of this case as well as perusal of case diary, let the above named

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petitioner be released on **provisional anticipatory bail**, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of the learned Judicial Magistrate-1st Class, Gaya Jee, in connection with Cherki P.S. Case No.87 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS**,** 2023.

9. However, it is hereby directed to the Trial Court to confirm the provisional bail granted to the petitioner, only when, he shall produce the marriage certificate under Bihar Marriage Registration Rule, 2006, evidencing his marriage with the daughter of the informant (victim) within a period of 6 (six) months from today. In the event, the petitioner fails to produce the said certificate within the stipulated period, then the Trial Court shall be at liberty to cancel his bail bonds in accordance with law.

(Dr. Anshuman, J)

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