

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68646 of 2025

Arising Out of PS. Case No.-154 Year-2025 Thana- NARHATT District- Nawada

Akhalesh kumar @ Akhilesh Kumar @ Aklesh Kumar, Male, aged about 21 years, S/o Fullu Prasad Yadav @ Fullu Yadav R/o vill- Ibrahimpur, P.S- Narhat, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari D/o Munarika Yadav @ Mundrika Yadav R/o vill - Mandih, P.s.- Rajauli, Distt.- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Hansraj, Advocate
For the Opposite Party/s	:	Mr.Rajendra Prasad Nat, APP
For the informant	:	Mr. Sheo Kumar Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-02-2026 Heard Mr. Hansraj, learned counsel appearing on behalf of the petitioner; Mr. Rajendra Prasad Nat learned APP for the State and Mr. Sheo Kumar Prasad, learned counsel for the informant.

2. The petitioner seeks pre-arrest bail in connection with Narhat P.S. Case No. 154 of 2025 registered for the offence(s) punishable under Sections 85,3(5) of the BNS and Section 3,4 of DP Act.

3. The allegation is of subjecting the complainant – opposite party no.2 to various sorts of torture due to non-fulfillment of the demand of the dowry.

4. Learned counsel appearing on behalf of the



petitioner gives information that as on date, the petitioner is aged about 21 years. The alleged marriage of the petitioner with daughter of the informant had taken place in the year 2022, which indicates that the petitioner was a minor at the time of alleged marriage. The petitioner's counsel submits that marriage became voidable, but this aspect has not been considered by the learned District Court and the pre-arrest bail was rejected. Petitioner having not committed any offence, seeks to be released on pre-arrest bail.

5. Mr. Sheo Kumar Prasad, learned counsel, has tendered his appearance on behalf of the informant and has vehemently opposed the bail application. He submitted that the petitioner has not disclosed the correct date of birth and his age in the cause title of the present bail application. Allegation against the petitioner cannot be denied on mere denial made in the bail application and, as such, petitioner don't deserve to be released on pre-arrest bail.

6. Learned APP for the State also vehemently opposed the prayer for grant of pre-arrest bail.

7. Having heard the rival submissions made on behalf of the parties and upon consideration of the materials on record, it is evident that the petitioner was about 21 years of age on the



date the affidavit was sworn and the present bail application was filed. The alleged marriage between the petitioner and the daughter of the informant took place in the year 2022. The age of victim as per admission on the alleged date of marriage was 23 years.

8. In such circumstances, the learned District Court is directed to re-consider the bail application of the petitioner after verifying the correct date of birth and age of petitioner and statement of victim recorded under Section 183 BNSS/164 Cr.PC.

9. The present application stands disposed of.

(Purnendu Singh, J)

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