

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74592 of 2025

Arising Out of PS. Case No.-297 Year-2024 Thana- BAHADURGANJ District- Kishanganj

Nabi Anwar son of Mazahirul Haque Resident of village - Guna Chaurasi,
Ward No.4, P.S. - Bahadurganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Adv.

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 13-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the petitioner in connection with S.Tr. No. 184 of 2025 arising out of Bahadurganj P.S. Case no.297 of 2024 registered under sections 64(1) and 140(3) of BNS, 2023.

3. Allegation in the F.I.R is that the petitioner eloped with the victim girl and also established physical relations on the pretext of marriage.

4. Learned counsel for the petitioner submits that the victim, who is the daughter of the informant, has been stated to be 19 years old and upon telephonic information received on 02.10.2024, the present case was lodged on the following day



i.e. on 03.10.2024. It is further submitted that petitioner and the victim were in a love relationship and they had even solemnized marriage, much prior filing of the present case and the deed of marriage has also been annexed as Annexure-P/2 to the petition along with an informatory petition, filed by the victim herself (Annexure-P/3), seeking protection from her parents on the apprehension that they may indulge in any untoward incident and may also institute a false case against her. Further, statement of the victim recorded under Section 183 of BNSS also indicates that the petitioner had taken her along to Jharkhand. Learned counsel for the petitioner has further submitted that the victim is fully grown adult and it is not possible for the petitioner to kidnap her and take her away without her consent. The medical report also indicates that no sign of recent sexual assault. The petitioner has no criminal antecedent and he is in custody since 27.05.2025. He undertakes to cooperate in the case/trial and charges have been framed in the case on 02.08.2025.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the fact that there is a possibility of love affair between the petitioner and the



victim, coupled with the fact that charges have been framed on 02.08.2025 and there is no likelihood to conclude the trial in the near future, the petitioner, who is a young boy having clean antecedent, is directed to be enlarged on bail in connection with S.Tr. No. 184 of 2025 arising out of Bahadurganj P.S. Case no.297 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court, subject to the following conditions:-

(I) One of the bailors shall be the father of the petitioner.

(II) The petitioner shall remain physically present in the learned trial Court on each date and shall cooperate in the trial. In case the petitioner is absent on the two consecutive dates without sufficient reasons, the learned trial Court would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

Harsh/-

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