

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74292 of 2025

Arising Out of PS. Case No.-129 Year-2025 Thana- KATHAIYA District- Muzaffarpur

Brahmdeo Mandal S/o Rameshwar Mandal, R/o Village- Lokha Dhanchhiha,
P.S.- Andhramath, District- Madhubani, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Kaushal Kishor, Advocate
For the State	:	Mr. Kumar Ranjit Ranjan, APP
For the Informant	:	Mr. Utsav Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Kathaiya P.S. Case No. 129 of 2025 dated 04.07.2025, registered for the offences punishable under Sections 137(2) and 87 of the B.N.S., 2023.

3. As per the prosecution case, the daughter of the informant was taken away by co-accused persons and the name of the petitioner transpired during investigation as an accused who forcibly kept the daughter of the informant confined and had been pressurizing her to marry him.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the present case. From bare perusal of the FIR and statement of



the victim girl recorded by the police, it is apparent that the victim girl left her house on her own sweet will as she was in love with the co-accused Nitesh Kumar and they were in physical relationship. It has also come during investigation that the victim girl herself booked the hotel room on the basis of her Aadhar card and mobile number. As the petitioner was an acquaintance of the co-accused Nitesh Kumar, who refused to help them, he has been falsely accused in the present case. Learned counsel further submits that the victim girl refused to undergo medical examination. Learned counsel also submits that the victim girl is twenty years of age and she is competent enough to understand the consequences of her act. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel further submits that it has also come during investigation that from the mobile phone of this petitioner, the victim girl informed her family members about her whereabouts. Learned counsel lastly submits that petitioner is in custody since 17.07.2025.

5. Learned A.P.P. appearing on behalf of the State as well as the learned counsel for the informant oppose the submissions made on behalf of the petitioner. Learned counsel for the informant submits that the statement of the victim girl



was recorded under Section 183 of the B.N.S.S. and in her statement she specifically named this petitioner to whom the co-accused handed her over and this petitioner has been putting pressure on her to solemnize marriage with him.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation and also considering the clean antecedent of the petitioner, his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Muzaffarpur / concerned Court, in connection with **Kathaiya P.S. Case No. 129 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates



*or in violation of the terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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