

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78292 of 2025

Arising Out of PS. Case No.-1199 Year-2025 Thana- PHULWARISHARIF District- Patna

Manish Kumar, S/o Lalan Choudhary @ Suresh Choudhary @ Bandi, R/o Akopur, P.S- Janipur, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ganesh Prasad Yadav, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Phulwari Sharif P.S. Case No.1199 of 2025, registered for the offences punishable under Sections 137(2) & 96 of the B.N.S., 2023.

3. As per allegation, a thirteen year old daughter of the informant has been enticed away by the Petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further refers to the statement of the alleged victim as recorded under Section 183 B.N.S.S., wherein she has clearly stated before learned Judicial Magistrate, that she was acquainted with the accused/Petitioner because she was living in



the vicinity of the Petitioner. As per her further statement, she was beaten by her parents on 24.07.2025. Hence, she went to Manish Kumar, without giving any information to her parents, and subsequently went to Dildarnagar in U.P. When her father along with the police reached there on 25.07.2025, she came back to her home. In her statement, she has also stated that she wants to live with her parents. He also refers to the medico-legal examination report, as per which, there is no sexual assault, and therefore, there is no enticement on the part of the Petitioner and the alleged victim had gone to the Petitioner on her own. He further submits that the Petitioner and the alleged victim are acquainted with each other and they also like each other and the Petitioner is even planning to marry her.

5. He further submits that the petitioner has been languishing in jail since 26.07.2025.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.



9. Considering the aforesaid facts and circumstances, particularly, the lack of any enticement on the part of the Petitioner to take the victim away from the guardianship of the Informant, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Phulwari Sharif P.S. Case No.1199 of 2025 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after



hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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