**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.79343 of 2026**

**CNR No. BRHC011149392026**

Arising Out of PS. Case No.-301 Year-2024 Thana- MUNGER MUFFASIL District- Munger

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Saurabh Kumar S/o Sandesh Kumar Mandal R/o Village - Mathurapur Ahiro, P.S and District - Banka

... ... Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari D/o Navin Singh W/o Abhishek Kumar, R/o Village - Maheshpur, P.S and District - Munger

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP
For the O.P. No.2 : Ms. Pragya Kiran, Advocate

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**

ORAL ORDER

2 25-11-2026 Heard Mr. Indeshwari Prasad Mandal, learned Advocate for the petitioner and Mr. Satyendra Narayan Singh, learned Additional Public Prosecutor for the State. The opposite party no. 2 is represented through Mr. Pragya Kiran, learned Advocate.

2. The petitioner apprehends his arrest in connection with Muffasil P.S. Case No. 301 of 2024, registered for the offences punishable under Sections 137(2) and 96 of the BNS.

3. The allegation against the petitioner is that he, along with other accused persons, enticed away the minor sister of the informant for the purpose of marriage.

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4. Learned Advocate for the petitioner submitted that the entire prosecution case falls to the ground in view of the statement of the victim recorded under Section 183 of the BNSS, wherein she has categorically stated that she had voluntarily left her house and gone to Ahmedabad, where she started doing a private job, and that, after attaining the age of majority, she solemnized marriage with the petitioner. There is no whisper in the entire statement of the victim that the petitioner was, in any manner, instrumental in enticing away or kidnapping her. Moreover, good relations have been restored between the parties, and they have entered into a compromise after the solemnization of marriage between them.

5. On the other hand, the learned Advocate for the State vehemently opposed the bail application, whereas the learned Advocate for opposite party no. 2 reiterated the submissions advanced by the learned Advocate for the petitioner.

6. Considering the rival submissions advanced by the learned Advocates for the respective parties and taking note of the statement of the victim recorded under Section 183 of the BNSS, wherein she has not made any allegation against the petitioner of inducing or taking her away; besides the factum of

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solemnization of marriage after attaining the age of majority, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Munger in connection with Muffasil P.S. Case No. 301 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

**(Harish Kumar, J)**

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