

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81333 of 2025

Arising Out of PS. Case No.-231 Year-2025 Thana- BELHAR District- Banka

Nilesh Kumar Mandal @ Nilesh Mandal @ Nilesh Kumar Son of Late Rajesh Mandal Resident of village - Rajpur, P.S.- Belhar, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Daughter of Y Resident of Bishwakarma Dhauri, P.S.- Belhar, District - Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Advocate Mr. Pranav Kumar Jha, Advocate Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s	:	Md. Ataur Rahman, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 26-02-2026 Heard learned counsel for the petitioner and learned APP for the State but, despite issuance of notice to opposite party no.2, none has appeared on her behalf.

2. The petitioner seeks bail for the offences under Section 96, 351(2), 352 and 3(5) of the B.N.S.

3. It appears that the petitioner had been granted the privilege of provisional bail vide order dated 03.12.2025 by a coordinate Bench of this Court.

4. Mr. Subodh Kumar Jha, learned counsel for the petitioner submits that the present case arises out of a love relationship between the petitioner and the victim and, after recovery, the statement of the victim was recorded under



Section 183 B.N.S.S. wherein she has stated her age to be 17 years and 8 months, which is at the verge of majority. She had clearly stated that she had gone voluntarily with the petitioner and came after four days. She has not made any allegation of any assault etc. much less of sexual assault. The medical evidence also indicates that there is no sign of rape and the victim girl is aged about 18 years.

5. Taking into consideration the facts and circumstances of the case and also considering the statement of the victim, the provisional bail granted to the petitioner vide order dated 03.12.2025 is hereby confirmed. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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