

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.83694 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- BHITAHHA District- West Champaran

Azad Ansari Son of Murtuza Ansari R/o Village - Gulhariya Pali Tola, P.S. - Bhitaha, Dist. - West Champaran, Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o Y R/o Village - Gulhariya Pali Tola, P.S. - Bhitaha, Dist. - Bihtaha, Dist. - West Champaran, Bettiah.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Khushi Awadh, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner and learned APP for the State. Despite valid service of notice, none appears on behalf of the opposite party no.2.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 64, 123 and 3(5) of the B.N.S., 2023 and Sections 4 and 6 of the POCSO Act.

3. As per the prosecution case, the informant has alleged that the petitioner had been exploiting her for the past three years on the false promise of marriage.

4. The learned counsel for the petitioner submits, at the outset, that the victim/informant is a major girl of 19 years of age as would be evident from her date of birth certificate from the Madarsa Register, a mention of which finds in paragraph nos.7 and 8 of the petition. Further, she was in a love relationship with the petitioner, who is also a young boy aged about 18 years and the statement of the victim recorded under Section 183 of the



B.N.S.S. also indicates that she was known to the petitioner for the past three years and there were talks of marriage between them and it was she who had administered medicine for making her family sleep, whereafter some physical relationship was established between them. Her main grievance is that the marriage between them is not being materialized. The petitioner is in custody since 17.09.2025 with clean antecedent, however, provisional bail was granted to him by a Co-ordinate Bench of this Court vide order dated 03.12.2025.

5. Learned APP for the State opposed the grant of bail on the basis of allegation made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the age of both the petitioner and the victim/informant and also considering the relationship between them as per her own statement under Section 183 of the B.N.S.S, the provisional bail granted to the petitioner vide order dated 03.12.2025 is hereby confirmed.

7. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

anand/-

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