IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6875 of 2026

CNR No. BRHC011339632025

Arising Out of PS. Case No.-291 Year-2024 Thana- CHAUSA District- Madhepura

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1. Binod Rishideo S/o Khajanchi Rishideo R/o vill - Chirori, ward no. 8, P.S.- Chausa, Distt.- Madhepura
2. Vibhash Rishideo @ Kashamand Kumar Rishideo S/o Binod Rishideo R/o vill - Chirori, ward no. 8, P.S.- Chausa, Distt.- Madhepura

... ... Petitioner/s

Versus

1. The State of Bihar.
2. Nunu Lal Paswan S/O late Bhola Paswan REsidence of Chirori ward no 8 , P.S - Chausa , Dist- Madhepura

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Akash Anand, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

8 19-11-2026 Heard learned Advocate for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Chausa P.S. Case No.291 of 2024 registered for the offences punishable under Section 96 of the B.N.S. 2023.

3. The allegation against the petitioners is that they, in connivance with other accused persons, enticed away the minor daughter of the informant. Upon coming to know about the involvement of the petitioners in the alleged offence, the informant approached the authorities, leading to the institution

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of the present FIR.

4. Learned Advocate for the petitioners submitted that the entire prosecution case falls to the ground once the statement of the victim was recorded under Section 183 of the BNSS, wherein she has categorically stated that she had voluntarily left her house along with Gulshan Kumar, with whom she was in love. It is further contended that the entire statement of the victim is conspicuously silent with regard to any role played by the petitioners in either enticing away or facilitating the elopement of the informant's minor daughter. Moreover, it is submitted that the petitioners have been implicated in the present case merely on account of their relationship with co-accused Gulshan Kumar. During the course of investigation, no material has surfaced suggesting their complicity in the alleged offence. Lastly, it is submitted that although both the petitioners are carrying one criminal antecedent each, they are presently on bail in connection with the said case.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the materials available on record clearly establish that the victim is a minor and, as such, her consent is immaterial in the eyes of law. It is further contended that the petitioners, being relatives of

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co-accused Gulshan Kumar, played an instrumental role in enticing away the minor daughter of the informant.

6. Considering the rival submissions advanced by learned Advocates for the respective parties and taking note of the statement of the victim recorded under Section 183 BNSS, wherein she has not even whispered about the role of the petitioners, and now the victim has already been recovered and residing with her parents, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) **each** with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Udakishunganj (Madhepura) in connection with Chausa P.S. Case No.291 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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