

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-I PURNEA

Bail Petition No. 159/2026

U/s 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023

(Arising out of Tikapatti P.S. Case No. 201/2025)

IN THE MATTER OF:-

Bhavesh Kumar, aged about 23 years, S/o Ashok Kumar Mahto

R/o village- Goriya Milik Tola W/No.7, P.S.- Tikapatti, District- Purnea..... Accused Petitioner

Vs.

State of Bihar Opposite Party

07.03.2026

The bail application has been filed on behalf of the accused petitioner namely Bhavesh Kumar who is in custody since 30.01.2026 in connection with Tikapatti P.S Case No. 201/2025 registered for the offences punishable u/s 137(2), 64, 69/3(5) of BNS, 2023 & section 3/4 of D.P. Act.

2. The case diary along with LCR is available with the bail case record. The petitioner in para 2 of the bail application has given a certificate with respect to non-filing of any ABP or regular bail application before this Court or before Hon'ble High Court, Patna.
3. Heard the learned counsel appearing on behalf of the petitioner and the learned APP appearing on behalf of the opposite party.
4. The learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has committed no sexual intercourse with the informant's daughter but there is love affairs in between the petitioner and the informant's daughter and marriage has also been solemnised in between them and the petitioner has got clean past and has been languishing in jail custody since 30.01.2026. On these grounds, it has been prayed for grant of the regular bail to the petitioner.

On the other hand, learned A.P.P. appearing on behalf of the opposite party opposes the prayer of bail.

5. The prosecution case, in short, is that the informant Chandan Mahto has got an FIR lodged on 20.12.2025 alleging therein that on 17.12.2025 at about 11:30 PM, he heard the sound of another person in his house and thereafter, when he went inside the house, he saw the petitioner was making physical relationship with his daughter and when he tried to caught the petitioner, the petitioner fled away and thereafter, his daughter tol that the petitioner has been making physical relationship with his daughter for two years and there is love affair in between them and thereafter, his daughter went to the house of the petitioner and thereafter, the family members of the petitioner demanded dowry and bullet motorcycle for committing marriage with the petitioner and his daughter and hence the FIR.
6. Perused the bail application along with the complete record which appears that the allegation against the petitioner is for rape upon the victim on pretext of marriage but the petitioner has got clean past and the medical report of the victim transpires the victim as major one

and the doctor has opined no sign of any sexual assault at the time of her medical examination. The statement of the victim recorded u/s. 180 read with the statement of the victim recorded u/s. 183 of BNSS, 2023 specifically reveals about the affectionate love in between them and their relationship continued up to two years hassle free as a token of love and both the victim and the petitioner have solemnised marriage which itself indicates about tacit consent of the victim in sexual relationship with the petitioner who has been languishing in jail custody since 30.01.2026.

7. Considering the above facts and circumstances of the case including the custody period of the petitioner, the prayer for privilege of regular bail is hereby allowed and it is the direction to release the petitioner namely Bhavesh Kumar on bail on furnishing the bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount to the satisfaction of the Court of Miss Pallavi, Ld. JM 1st Class, Purnea in connection with Tikapatti P.S. Case No. 201/2025 subject to the conditions that he will extend his co-operation in investigation and one of the sureties must be a close relative of the petitioner and the petitioner will remain physically present as and when required and he will not indulge in any criminal activities or commission of any offence after being released on bail and the sureties shall make a declaration giving therein all the relevant particulars at the time of furnishing the bail bond as per Section 486 of the BNSS, 2023 and the petitioner along with sureties shall furnish their respective mobile numbers.

Dictated

sd/-

(I/c) Addl. Sessions Judge-I

Memo No. Dated _____

Copy of bail order with LCR is forwarded to the court of Miss Pallavi, learned J.M. 1st Class, Purnea in connection with Tikapatti P.S. Case No. 201/2025 for information and needful.

(I/c) Addl. Sessions Judge-I

Date of Order	07.03.2026
Date of Reserving Order	
Uploading Date	09.03.2026
Uploaded by	Amit Adarsh, Stenographer