

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4996 of 2025

Arising out of PS. Case No.-230 Year-2023 Thana- GAYA MUFASIL District- Gaya

Navin kumar, S/o Surendra Paswan, R/o vill - pakari, p.s. - Fatehpur, Distt.-
Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate
For the Opposite Party/s: Mrs. Meenu Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 05-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Gaya
Muffasil P.S. Case No. 230 of 2023 instituted for the offences
under Section 363 of the Indian Penal Code.

3. The prosecution case is to the effect that the daugh-
ter of the informant had gone to school on 09.01.2023 but she
did not return till the evening. Thereafter, the informant and
other relatives searched her for almost one month and thirteen
days, finally the present FIR was lodged.

4. It is submitted by learned counsel for the petitioner
that the date of incident is alleged to be of 09.01.2023 while the
FIR was lodged on 22.02.2023 after delay of more than one
month thirteen days. It is also submitted that it is a case of love



affair between the petitioner and the said victim and the victim in her statement recorded under Section 164 Cr.P.C. after recovery has stated that she had gone with the petitioner on her own sweet-will and they have stayed at Gandhi Dham, Gujarat. The victim girl in her statement recorded under Section 161 Cr.P.C. has also stated that they had gone together to Gujarat where they have also solemnized their marriage. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 18.11.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of respective counsels and taking into account the statements made by the victim girl and also considering the fact that the petitioner is in custody since 18.11.2024, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Gaya in connection with Gaya Muffasil P.S. Case No. 230 of 2023, subject to the the following conditions:-

(i) One of the bailors will be a
close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(Sourendra Pandey, J)

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