

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6986 of 2025

Arising Out of PS. Case No.-316 Year-2024 Thana- KALYANPUR District- East Champaran

Golu Paswan S/o Bindeshwari Paswan Resident of Tenuwa, P.S- Kalyanpur,
Distt- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi W/o Suresh Prasad R/o vill - Tenuwa, ward no. 2, P.S.-
Kalyanpur, Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kundan Rathore, Adv.
For the Opposite Party/s	:	Mr.Uma Shankar Prasad Singh, APP
For the O.P. No.2	:	Mr. Shashank Shekhar, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 316 of 2024 instituted for the offences
under Sections 127(1), 115(2), 96, 352, 351(2), 3(5) of the
B.N.S., 2023.

3. As per prosecution case, the accusation against the
petitioner is of kidnapping the minor daughter of the Informant
with an intention to marry with her.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case



due to highhandedness of the police/informant. The petitioner has no concern with the alleged occurrence. The victim girl has been recovered and her statement was recorded under Section 183 of the B.N.S.S. in which she has not made any allegation against the petitioner. She has also stated that she on her own will has left her home. He further submits that both the parties have solemnized marriage and the victim girl is still living with the petitioner's family. Charge-sheet has been submitted in this case. The petitioner has no criminal antecedent and is languishing in judicial custody since 24.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature and there is direct allegation against the petitioner of kidnapping the Informant's daughter. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner for offence under Sections Sections 127(1), 115(2), 137(1), 96, 352, 351(2), 3(5) of the B.N.S., 2023 and Section 8 of the POCSO Act.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case,



the period of custody of the petitioner, the petitioner having no criminal antecedent as also there being no specific allegation against the petitioner in the 183 B.N.S.S. statement of the victim girl, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kalyanpur P.S. Case No. 316 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

