

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11719 of 2025

Arising Out of PS. Case No.-257 Year-2024 Thana- BELDOUR District- Khagaria

Lalmani Paswan S/o Suresh Paswan Resident of Village- Gandhi Nagar,
Itmadi, P.S.- Beldaur, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the State : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Beldaur Police Station Case No. 257 of 2024, disclosing offence under Sections 96 and 3(5) of the B.N.S.

3. The prosecution case, as per the First Information Report, is that on 11.07.2024, the informant's daughter went to school to get her original certificate, but she did not return. Upon search, the informant came to know that accused Dularchand Kumar kidnapped his daughter with the help of Fuleshwar Paswan and Gambhir Paswan.

4. Learned Counsel for the petitioner submits that petitioner is not named in the FIR and his name has transpired in the statement of the victim recorded under Section 183 of the



B.N.S.S. The victim girl was recovered and her statement under Section 180 of B.N.S.S. was recorded by the police on 29.07.2024 in which she has not supported the prosecution story and has said that she went to Delhi after being frustrated by the scolding of her parents. He further submits that after one day i.e., on 30.07.2024 the statement of the victim girl is recorded under Section 183 B.N.S.S. in which she has entirely changed her statement before the police given one day before recorded under Section 180 and has disclosed the name of the petitioner along with others who kidnapped the victim along with the co-accused Dularchand Kumar. He further submits that there is a contradiction in statement of the victim girl recorded under Section 180 and Section 183 B.N.S.S. and it appears that at the time of recording her statement under Section 183 she was tutored by her family members. In her statement recorded under Section 183 she has also stated that she wanted to implicate all the three i.e., the co-accused Dularchand Kumar and his two friends one of them is petitioner.

5. Regards being had to submissions made by the parties and taking into consideration the statement of the victim girl recorded under Section 180 and 183 which is self-contradictory, I am inclined to grant the petitioner privilege of



anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Beldaur Police Station Case No. 257of 2024, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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