

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20715 of 2025

Arising Out of PS. Case No.-287 Year-2019 Thana- SALAKHUA District- Saharsa

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1. Abhishek Kumar @ Diblu S/o- Shivji Paswan Village- Priyanagar Ps- Salkhua Ps- Banma Itahari Dist- Saharsa
 2. Ram Lochan Paswan S/o- Pameshwar Paswan @ Parmershwar Paswan Village- Priyanagar Ps- Salkhua Ps- Banma Itahari Dist- Saharsa
 3. Mantu @ Mantu Paswan @ Mantun Paswan @ Mantoo Paswan @ Mantoo Kumar S/o- Suresh Paswan @ Suresh Paswan Village- Priyanagar Ps- Salkhua Ps- Banma Itahari Dist- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Devi W/o- Shanti Paswan Village- Priyanagar Op Banma Itahari, Ps- Salkhua Ps- Banma Itahari Dist- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Amarnath Jha, Advocate
For the State	:	Mr. Kumar Veerendra Narayan, APP
For Opposite Party No.2	:	Dr. Ratan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-06-2025 Heard learned counsel appearing on behalf of the petitioners, learned A.P.P. appearing on behalf of the State and learned counsel appearing on behalf of the informant/Opposite Party No. 2.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 363, 376 and 34 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per prosecution case, these petitioners are



alleged to have kidnapped minor daughter of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, petitioners have falsely been implicated in this case due to village politics. Police after investigation submitted final form against these petitioners on 31.08.2020. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the informant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation that they kidnapped minor daughter of informant. The victim in her statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case. The learned trial court has assessed the age of victim 14 years.

6. Considering the specific and direct nature of accusation and statement of victim recorded under Section 164 of the Cr.P.C., the prayer for grant of anticipatory bail to the petitioners is rejected.

(Prabhat Kumar Singh, J)

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