

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27319 of 2025

Arising Out of PS. Case No.-174 Year-2021 Thana- GAURICHAK District- Patna

Vikash Paswan @ Vikash Kumar S/o- Sri Nagina Paswan Village- Andari PS-
Gaurichak Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-05-2025 Heard learned Advocate for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Guarichak P.S. Case No. 174 of 2021 registered for the offences punishable under Sections 365 and 366 of the Indian Penal Code.

3. Based upon the written report, the prosecution alleges that on 08.05.2021, the daughter of the informant was taken away by the accused persons with intention to marry.

4. Learned Advocate for the petitioner contended that, in fact, the victim was in love with Chhotu Paswan, who happens to be cousin of the petitioner and on the alleged date of occurrence, both parties voluntarily left the village and later on solemnized marriage. The coupled also blessed with children;



moreover, the petitioner has no concern with the affairs of Chhotu Paswan and the victim, but only on account of he being a family member, his name has been dragged. On the alleged date of occurrence, the petitioner had been working in a factory in Gujarat. However, when he came to know about the present case, he returned in the year 2024 and thereafter he moved for anticipatory bail. Drawing the attention of this Court to the order of the learned A.C.J.M.-VI, it is contended that the victim herself disclosed her age as 18 years and in her statement recorded under Section 164 CrPC, she has not made allegation against any of the person, much less against the petitioner.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the petitioner had been evading from law for the last four years despite the fact that he is named accused in this case.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that entire allegation revolves around Chhotu Paswan with whom the victim has solemnized marriage and now they are living as husband and wife, coupled with the fair antecedent of the petitioner and the fact that on the alleged date of occurrence, he had been working in the State of Gujarat as also the statement of



the victim, as has been disclosed in the order-sheet, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Patna City in connection with Guarichak P.S. Case No. 174 of 2021, subject to the condition as laid down under Section Section 482(2) of the B.N.S.S., with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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