

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29947 of 2025

Arising Out of PS. Case No.-387 Year-2024 Thana- GOVINDGANJ District- East
Champaran

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Niku Paswan Son of Dhora Paswan Vill -Dharwa Tola PS -Govindganj, Distt-
East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satyadev Mahto son of Late Janak Mahto village- Pashupatinath Chowk,
Govindganj, Ps- govindganj, Dist- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kundan Rathore, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar Jha, APP
For the Informant	:	Mr. Pravin Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner; learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Govindganj P.S. Case No. 387 of 2024 dated 10.11.2024,
instituted for the offence punishable under Sections 137(2), 96,
352, 351(2), 3(5) of the B.N.S., 2023 and Section 8 of the
POCSO Act, 2012.

3. The prosecution case, in short, is that on
22.09.2025, the daughter of informant went out of house but did
not return. When the informant searched about the whereabouts
of his daughter then he came to know that his daughter was
going somewhere on a motorcycle with the petitioner. It is



alleged that petitioner has kidnapped the daughter of informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the occurrence took place on 22.09.2024 but the FIR was lodged on 10.11.2024 i.e. after delay of 49 days without any plausible explanation. The statement of the victim has been recorded under Section 183 of the B.N.S.S. in which she has clearly stated that she wanted to marry with the petitioner. There is no whisper of any overt act committed by the petitioner. It is next submitted that the petitioner and victim has solemnized marriage and the victim wants to live with the petitioner. Lastly, it has been submitted that the petitioner is in custody since 28.12.2024 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State as well as learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner and submitted that victim is a minor girl aged about 16 years.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of



Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Addl. Sessions Judge- Cum- Ex. Special Judge, POCSO Act, East Champaran, Motihari/ Concern Court, Motihari, East Champaran in Govindganj P.S. Case No. 387 of 2024.

(Khatim Reza, J)

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