

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33148 of 2025

Arising Out of PS. Case No.-276 Year-2023 Thana- CHAUTHAM District- Khagaria

Suraj Kumar @ Suraj Paswan S/o Sikendra Paswan R/o Village-
Dewka, P.S.- Chautham, District- Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Chautham P.S. Case No. 276 of 2023 registered for the offences punishable under Sections 366/34 of the Indian Penal Code.

3. The allegation against the petitioner is to kidnap the wife of the informant, who is aged about 35 years old and mother of three childrens.

4. Learned counsel appearing on behalf of the petitioner submitted that out of love affairs, the wife of the informant went with the petitioner up to Delhi out of her own sweet-will. It is submitted that in the same manner wife of the



informant went with the petitioner four years prior to this occurrence also. It is submitted that under the pressure of informant/husband, the present case was lodged against the petitioner.

5. Taking shelter of impugned order, it is submitted that the wife of informant solemnized marriage with the petitioner which is apparent from the fact, when the court asked the specific questions to victim that with whom she would like to go, she categorically stated that she would like to go with her husband namely, Suraj Paswan, who is none but this petitioner. The only allegation, which was raised against petitioner that she usually assault her. It is submitted that in view of aforesaid, no case, as alleged, *prima-facie* made out against the petitioner, who is a man of clean antecedent.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by taking note of the totality of statement of wife of the informant as recorded under section 164 Cr.P.C., which



prima-facie denied the allegation of kidnapping, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Chautham P.S. Case No. 276 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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