

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34516 of 2025

Arising Out of PS. Case No.-291 Year-2022 Thana- BARHARA KOTHI District- Purnia

Gangam Kumar @ Gangam Kumar Paswan S/o Santu Paswan Resident of
Village- Chikni, PS- Barhara Kothi, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Barhara P.S. Case No. 291 of 2022 for the offence under sections 363, 366A, 506 and 34 of the Indian Penal Code lodged on 08.07.2022 by the informant, Sanjeev Kumar Sah.

3. As per the prosecution story, the informant alleged that his minor sister had gone to attend the nature's call whereafter disappeared. The petitioner herein and his family members are the persons behind her disappearance. Despite the '*panchayati*', as she did not return, the FIR.

4. Learned counsel for the petitioner has taken this Court to the learned Sessions Judge order to show that both were in relationship, the girl moved out of her house on her



own, though minor, she stated that no one had taken her and later, she got married to one Gautam. In any case, the main allegation is against Gautam Kumar.

5. Learned APP opposes the prayer submitting that the girl is minor.

6. Taking into account the submissions of the parties as also that mainly allegation of taking away is on Gautam Kumar though the girl has narrated under Section 164 of the Cr.P.C. that she moved on her own and later married Gautam Kumar, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge (POCSO), Purnea in connection with Barhara P.S. Case No. 291 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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