

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39351 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- BAKHARI District- Begusarai

Shankar Paswan S/O Chanar Paswan @ Chanar R/O Village- Marthua, Ward
No. 09, tola Lakshmipur, P.S- Bithan, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 01-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bakhri (Bakhari) P.S. Case no. 17 of 2025 instituted for the offence under Sections 137 (2) and 87 of the BNS

3. The case of the prosecution is that on 11.01.2025, informant's daughter, namely, Noorsaba Khatoon went out of the house and she did not return home till the evening. She was being searched but the informant did not find her. He suspect that some unknown person took her away.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in



connection with the present case. It is further submitted that during the course of investigation, the victim was recovered and she has given her statement under 183 of the BNS wherein she has stated that she was having affair with the petitioner and she went to Rosera with him and after that they solemnized court marriage from there she went to Harayana. From perusal of the impugned order, it transpires that on the basis of medical report, the trial has recorded that the age of the victim is assessed between 18-19 years. Doctor has not found evidence of recent sexual assault. From the above facts, it is clear that it is a clear cut case of elopement.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bakhri (Bakhari) P.S. Case no. 17 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate,



1st Class, Beguarai, subject to the conditions as laid down under
section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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