

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38230 of 2025

Arising Out of PS. Case No.-315 Year-2025 Thana- NAGAR District- Vaishali

1. Chhotu Kumar S/o Rajnath Paswan R/o Village- Manas Naya Panapur, P.S.- Akilpur, District- Chapra, Saran
2. Rajnath Paswan S/o Late Lakshman Paswan R/o Village- Manas Naya Panapur, P.S.- Akilpur, District- Chapra, Saran
3. Basmati Devi W/o Rajnath Paswan R/o Village- Manas Naya Panapur, P.S.- Akilpur, District- Chapra, Saran
4. Manita Devi W/o Brij Kishore Paswan R/o Village- Manas Naya Panapur, P.S.- Akilpur, District- Chapra, Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Murari Mishra, Advocate
For the State	:	Mrs. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

2. The petitioners seek bail in a case registered for the offences punishable under Sections 137(2) and 140(3) of B.N.S.

3. As per the prosecution case, the informant has alleged that his two daughters had gone missing, despite hectic search, they could not be located and hence, the present FIR lodged against the petitioners.

4. The learned counsel for the petitioners submits that they are not named in the FIR and their name has surfaced



during the course of investigation when the two daughters of the informant were recovered. Learned counsel for the petitioners further submit that statement of the victims has been recorded under Section 180 and 183 of B.N.S.S. in which they have stated that that they had left the house on their own and were not kidnapped. It has lastly been submitted by learned counsel for the petitioners that petitioners have clean antecedent and they are in custody since 02.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties and taking into account the statement of the victims recorded under Section 180 and 183 of B.N.S.S., the petitioners above named, are directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hajipur Town P.S. Case No. 315 of 2025, subject to the the following conditions:-

(i) One of the bailors of the petitioners shall be his close relative.

(ii) The petitioners shall remain physically present



in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail, is allowed.

(Sourendra Pandey, J)

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