

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40011 of 2025

Arising Out of PS. Case No.-212 Year-2019 Thana- MANIGACHI District- Darbhanga

Ajay Paswan @ Anil Lal Paswan S/o Late Singheshwar Paswan @
Singheshwar Paswan @ Sidheshwar Paswan R/o vill - Paithan Kabai, P.S.-
Manigachhi, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Abul Kaish S/o Late Md. Majid R/o vill - Jatuka, P.S. - Manigachhi
(Bajitpur O.P.), Distt. - Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 08-09-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Manigacchi (Bajitpur O.P.) P.S. Case No. 212 of 2019 instituted
for the offence under Sections 341, 323, 504, 506, 363, 366,
366(A) & 34 of the Indian Penal Code. Charge sheet has already
been submitted in this case under Sections 363 & 366(A),
Section 9 of the Prohibition of Child Marriage Act and Section 8
of the POCSO Act.

3. As per prosecution case, petitioner along with other
co-accused allegedly kidnapped the two minor daughters of the
informant.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28-12-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that petitioner neither kidnapped the victim girls nor he committed any overt act with them. Statements of the victims were recorded under Section 164 of the Cr.P.C and they have not supported the prosecution case. There was love affair between petitioner and one of the victims and another victim is her sister who accompanied her and she left her house on own will. Victims refused for her medical examination. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no allegation made in the statement of the victims recorded under Section 164 of the Cr.P.C. and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.



8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manigacchi (Bajitpur O.P.) P.S. Case No. 212 of 2019, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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