

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41752 of 2025

Arising Out of PS. Case No.-553 Year-2021 Thana- GHORASAHAN District- East
Champaran

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Mani Bhushan Kumar @ Mani Bhushan Paswan S/O Late Yogendra Paswan
@ Yogi Paswan R/O Village- Khairwa, PS- Lakhaura, Distt-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar Singh S/O Ram Prasad Singh R/O Village- Khairwa, PS-
Lakhaura, Distt-East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-07-2025 Heard Mr.Subodh Kumar Barnwal, learned counsel

appearing for the petitioner and Mr.Tarun Prasad Mandal,

learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
28.04.2025 in connection with Ghorasahan (Lakhaura) P.S.
Case No. 553 of 2021, F.I.R. dated 25.12.2021 registered for
the offence punishable under Sections 363/366A/34 of IPC
and Section 8 of POCSO Act.

3. The prosecution case, in short, is that on
14.12.2021, accused persons including the petitioner are
alleged to have kidnapped the minor daughter (the victim) of
the informant aged about 14 years for the purpose of her



marriage.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case and the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Although from a bare perusal of the FIR it appears that there is direct and specific allegation against the petitioner that he has abducted the minor daughter of the informant. The victim was recovered and her statement under Section 164 Cr.P.C./Section 183 of BNSS, 2023 was recorded in which she has not supported the case of the prosecution. Further submits that co-accused person, namely, Ravindra Paswan has been granted privilege of anticipatory bail by this Court vide order dated 29.11.2022 passed in Cr. Misc. No.42906 of 2022, and the petitioner is in custody since 28.04.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits that the petitioner is not sent up for trial in the pending matter.

6. Considering the aforesaid fact, victim has not supported the case of the prosecution in her statement under



Section 164 Cr.P.C./Section 183 of BNSS, 2023 and co-accused person, namely, Ravindra Paswan has been granted privilege of anticipatory bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 6th District and Additional Sessions Judge-cum-Exclusive Special Judge, POCSO Act, Motihari, East Champaran in connection with Ghorasahan (Lakhaura) P.S. Case No. 553 of 2021 with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed



his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

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