

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47257 of 2025

Arising Out of PS. Case No.-36 Year-2024 Thana- ADAPUR District- East Champaran

Rajnandan Paswan Son of Sambhu Paswan Village- Sirisiya Khurd, Ps-
Adapur, Dist- East Champaran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 22-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 363 and 366 of the IPC.

3. The prosecution case as per the first information report is that in the night of 28.01.2024, the informant's daughter went to attend the call of nature but she did not return. It has been alleged that she has been kidnapped by the accused persons named in the FIR including the present petitioner.

4. Learned counsel for the petitioner submits that it would be evident from the first information report that there are general and omnibus allegations made in the FIR based only on suspicion. It has further been submitted that as a matter of fact



the victim was in a love relationship with the petitioner and both belonged to the same village, and subsequently they also performed marriage by their own will. It is further submitted that the victim is a major girl and there was a consensual relation between her and the petitioner. The statement of the victim was recorded under Section 164 of the Cr.P.C., which also goes to show that there is general and omnibus allegation against all the accused persons of forcing her to marry the petitioner and she has further alleged that one Shambhu Paswan is responsible for the entire kidnapping. Further, it would appear even from the 164 Cr.P.C statement that there is no allegation of subjecting her to any sexual assault or exploitation. Learned counsel for the petitioner submits that the other co-accused persons of this case have already been granted the privilege of anticipatory bail vide orders appended at Annexure-P/3 and Annexure-P/4 passed by co-ordinate benches of this Court. It is further pointed out that a compromise has been entered into by the victim and the accused persons of this case and the compromise petition is appended at Annexure-P/2. From perusal of the compromise petition, it appears that the informant has wished not to pursue the case any further and good relations have been established between the parties.



5. Considering the facts and circumstances of the case and also taking into consideration the fact that other co-accused persons have already been granted the privilege of anticipatory bail, and the FIR has been lodged after delay of four days and further a compromise has also been effected between the parties, it is directed that the petitioner, above named, who has got no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with **Adapur P.S. Case No. 36 of 2024** on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023

(Soni Shrivastava, J)

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