

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57011 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- KAKO District- Jehanabad

Birju Paswan @ Birju Kumar S/o- Bhim Paswan @ Naval Paswan Resident
of Village- Ghorhat Salarpur, Ps- Jehanabad, Kalpa Op, Dist- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Malti Devi W/o- Ram Chandra Yadav Village- Bedauli Ps- Kako Dist-
Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Neeraj, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kako P.S. Case No. 241 of 2024 (in POCSO Case No. 29/2025) dated 05.09.2024 registered for the offences punishable u/ss 96 and 64(1) of the B.N.S. and u/ss 4/8 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

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



this case. The occurrence took place on 17.08.2024 but the F.I.R. was lodged on 05.09.2024 and there is no explanation for this delay. There was love affair between the victim and the petitioner. The victim, in her statement recorded u/s 183 of the B.N.S.S. has stated that she herself left her house and went to Chennai and thereafter, she solemnized marriage with the petitioner in a temple at Patna. She has also stated that they started living together in Chennai. The petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Jehanabad in connection with Kako P.S. Case No. 241 of 2024 (in POCSO Case No. 29/2025) with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of



the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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