

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52223 of 2025

Arising Out of PS. Case No.-592 Year-2024 Thana- LAKHISARAI District- Lakhisarai

Bobby Paswan, S/o Sanjay Paswan, R/o Village- Kakan, P.S.- Jamui, Distt-
Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. S.K. Lal, Advocate

Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 08-10-2025

I.A. No. 1 of 2025

For the reasons stated in the petition, the present
petition for early hearing stands allowed and the matter is
taken on board for hearing.

Cr. Misc. No.52223 of 2025

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

3. The accused/petitioner seeks bail in connection
with Lakhisarai P.S. Case No.592 of 2024 registered for the
offences punishable under Sections 96 read with 3(5) of the
Bhartiya Nyaya Sanhita (for short 'B.N.S.').

4. The accused/petitioner is named in the FIR and is



in custody since 06.06.2025.

5. Allegation against the petitioner is to kidnap the minor daughter of informant for the purpose of illicit intercourse/marriage with another person.

6. It is submitted by learned counsel appearing for petitioner that the victim has solemnized the marriage with petitioner and since then, she is living in house of the petitioner with in-laws. It is pointed out that as per school certificate, the date of birth of victim is 01.01.2007 and, therefore, on the alleged date of occurrence, she was 17 years 9 months and 22 days. It is also pointed out that the victim has refused for medical examination. It is submitted that for the present the victim is major and still she is living in the house of petitioner happily as wife. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover, the petitioner is a man of clean antecedent.

7. Learned APP opposed the prayer for grant of bail



to the petitioner.

8. The victim is present before this Court with her mother-in-law duly identified by learned counsel appearing for petitioner before this Court and both of them approved the factum of marriage with petitioner and living together with her in-laws for the present.

9. In view of aforesaid factual submissions and by taking note of fact as the allegation of sexual assault and kidnapping appears negated against petitioner by victim rather she after solemnizing the marriage with petitioner out of her own sweet will is residing happily with in-laws, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 06.06.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No.592 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure



(for short ‘CrPC’)/under Section 480(3) of the Bhartiya
Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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