

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55703 of 2025

Arising Out of PS. Case No.-516 Year-2024 Thana- MAJHAULIA District- West Champaran

Rupesh Kumar S/O Bachu Paswan R/O Vill.- Lal Saraiya Mahadev Tola Ward
No.03, P.S - Majhauliya, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX R/O-Vill-Lal Saraiya Mahadev Tola, Ward No.-03 P.S.-Majhaulia , Dist-
West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rahul Kumar Shukla, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Ashok Kumar Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 10-12-2025 Heard Mr. Rahul Kumar Shukla, learned counsel for

the petitioner and Mr. Ashok Kumar Gupta, learned counsel

representing the informant beside the learned APP, Mr. Bharat

Bhushan representing the State.

2. The petitioner is apprehending his arrest in
connection with Majhaulia P.S. Case No. 516 of 2024 registered
for the offence under Sections 137(2) and 96 of the B.N.S. and
section 8 of the POCSO Act, lodged on 20.08.2024 by the
informant, XX.

3. As per the prosecution story, the informant alleged
that the girl went out to attend the nature's call but failed to
return. Further, strong apprehension that this petitioner has taken



away the girl with with the active support of the parents. This led to the F.I.R.

4. As the story unfolds, the girl subsequently returned and made her statement under section 183 of the BNSS, according to the girl, she went on her own to Nepal alongwith the petitioner and when came to know that F.I.R. is lodged, returned. She has not alleged any any wrong doing against this petitioner.

5. Learned counsel for the petitioner submits that being of the same age, they had some affinity and on the girl's insistence, they went to the Nepal, implicated.

6. Learned counsel for the informant on the other hand dispute and submits that she was taken away by the petitioner.

7. Considering the submissions of the parties as also the fact that the boy is young, student, the girls has not alleged anything wrong doing against him in the statement under section 183 of the BNSS, F.I.R. is there, he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the



receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, POCSO Act-cum-A.D.J.- 6, Bettiah, West Champaran, in connection with Majhauria P.S. Case No. 516 of 2024 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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