

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61219 of 2025

Arising Out of PS. Case No.-145 Year-2021 Thana- HASANPUR District- Samastipur

Nitish Paswan @ Nitish Kumar Son of Ganesh Paswan R/o Village -
Nayanagar, P.S. - Hasanpur, Dist. - Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate

For the Opposite Party/s : Mrs. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 17-12-2025 Heard Mr. Madhav Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Hasanpur P.S. Case No. 145 of 2021 for the offence under sections 366A & 34 of the Indian Penal Code lodged on 22.07.2021 by the informant, Dharmendra Paswan.

3. As per the prosecution story, the informant alleged that his daughter went out to attend the nature's call but failed to return. Later, it came to notice that she has been kidnapped and through a mobile, the girl informed that these accused persons have taken her away. Sensing that she may have been pushed into prostitution, the FIR.

4. As the story unfolds, the girl subsequently made the statement under Section 164 of the Cr.P.C. recording that her



family members wanted her to get married to an aged person, she on her own went out alongwith the petitioner, is now married and residing in Rajasthan with him happily.

5. Learned counsel for the petitioner submits that there has been delay, as he being in Rajasthan, had no knowledge that the case is still pending, the victim girl is with him, they are happily married and shall be diligently appearing in trial, if granted relief.

6. Learned APP opposes the prayer submitting that allegation is there against the petitioner.

7. Taking into account the submissions of the parties as also that the victim girl has not supported the prosecution story and in fact has made allegation against the parents, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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 ACJM IV, Rosera, Samastipur in connection with Hasanpur P.S. Case No. 145 of 2021 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 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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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