

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57537 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- RAUTA District- Purnia

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Nitesh Paswan @ Nitesh Kumar S/o Lalo Paswan @ Laloo Paswan R/o vill -
Runki, P.S.- Rauta, Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Laxman Paswan S/o Vasudev Paswan R/o vill - Runki, ward no. 10,
Panchayat, Manjhok, P.S. - Rauta, Distt.- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Madiha Hashmi, Advocate
For the State : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 18-12-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Rauta P.S. Case No. 60 of 2025 registered for the offence under Sections 137(2), 87 and 3(5) of the B.N.S., lodged on 05.03.2025 by the informant, Lakshman Paswan.

3. As per the prosecution story, the informant alleged that the minor daughter went to attend fair but thereafter disappeared. The allegation is that the petitioner kidnapped her alongwith associates. This led to the F.I.R.

4. Earlier, notice was issued to the opposite party no.2 and as per the report dated 17.10.2025, it has been received by the opposite party no.2.



5. The statement of the victim girl is on record, according to which she from the fair went to West Bengal on her own alongwith the petitioner. Later, returned upon knowledge of the F.I.R. As recorded above, notice has been received by the opposite party no.2 but has failed to appear.

6. Learned counsel for the petitioner submits that though the girl is minor, on her own she went to West Bengal as recorded above. Nothing wrong has been attributed to this petitioner who is only 22 years of age and a student.

7. Learned APP opposes the prayer submitting that the girl was minor at the time of occurrence.

8. Taking into account the submissions of the parties as also the statement of the victim girl in which she has not alleged any wrong doing against the petitioner, he do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

9. 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 Additional Sessions Court-VII-cum-Special Court (POCSO), Purnea, in connection with Rauta P.S.



Case No. 60 of 2025 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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