

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63179 of 2025

Arising Out of PS. Case No.-213 Year-2024 Thana- Madhusudanpur District- Bhagalpur

1. Bikram Paswan @ Bikram Kumar @ Vikram Kumar Paswan aged about 22 years (M) S/o Dabblu Paswan R/o vill - Sardarpur, P.S.- Madhusudanpur, Distt.- Bhagalpur
2. Pritam Kumar, aged about 20 years (M) S/o Dabblu Pasawan R/o vill - Sardarpur, P.S.- Madhusudanpur, Distt.- Bhagalpur
3. Usha Devi aged about 37 years (F) W/o Dabblu Pawan R/o vill - Sardarpur, P.S.- Madhusudanpur, Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi W/o Late Binod Paswan R/o vill - Sardarpur, P.S.- Madhusudanpur, Distt.- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with Madhusudanpur P.S. Case No. 213 of 2024 dated 28-12-2024, instituted under Sections 126(2),109,96, 352, 351(2) and 3, 3(5) of the *Bharatiya Nyaya Sanhita*, 2023 and Section 8 of the POCSO Act and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on 08-11-2024 the daughter of the informant was taken away by the petitioner on the pretext of going to a fair, with the intention of



marrying her. When the family searched for her, they learnt of petitioner's involvement and after going to his house they were abused and threatened by Dablu Paswan, Pritam Kumar, and Usha Devi. On 28.12.2024 at about 8:00 AM, Dablu Paswan allegedly entered the informant's house and fired a shot at her with intention to kill. She escaped by locking herself in a room. It is further alleged that co-accused Dablu also threatened to kill her son, Piyush Kumar, before leaving. The FIR further states that co-accused Dablu Paswan is a habitual offender with a criminal history and has previously been jailed in connection with Mudhusudanpur P.S.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is further submitted that the learned District and Additional Sessions Judge-VI, Bhagalpur, while rejecting the prayer for anticipatory bail in A.B.P. No. 1578 of 2025, has considered the statement of the victim recorded under Section 183 of the BNSS, wherein she categorically denied the allegation of kidnapping by the petitioners. It has also been stated that the victim had gone to the house of her friend, namely Nandani Kumari. The impugned order further observes that the radiological examination assessed the age of the victim



to be between 17 to 19 years. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court (POCSO)-cum- District and Additional Sessions Judge VI, Bhagalpur, in Madhusudanpur P.S. Case No. 213 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

7. The application stands allowed

(Khatim Reza, J)

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