

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63969 of 2025

Arising Out of PS. Case No.-200 Year-2020 Thana- DESARI District- Vaishali

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Damodar Paswan S/O Late Jay Mangal Paswan R/O Village- Taiyabpur
Kharjamma, P.S - Desari, District- Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 25-09-2025 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant, Mr. Surendra Kishore Thakur.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 365, 366(a) and 34 of the Indian Penal Code.
3. The Investigating Officer of the case, in compliance of the order dated 23.09.2025, is present in the Court.
4. Learned counsel appearing on behalf of the petitioner submits that petitioner has antecedent of three cases and the informant alleges that his minor daughter aged about 14 years was kidnapped on 04.08.2020.
5. Learned counsel for the petitioner submits that FIR



was against unknown. It is further submitted that petitioner is a neighbour of the informant, it is further submitted that during the course of investigating, it transpired that the victim was in love with one Raja, who had a sister namely Girija who was a widow, but then was living with one Ravindra in a relationship who was employed with the CRPF at Jharkhand, further Raja and the victim eloped and Raja brought her to the house of Girija where Ravindra was also present, it also transpired during the course of investigation that daughter of Girija from her first husband disclosed to her grand parent that Raja had brought the victim to their house and thereafter Raja along with Ravindra have disappeared the victim.

6. The learned counsel for the petitioner next submits that from the material which transpired during the course of investigation, it manifests that victim and Raja were in love and they eloped and Raja brought her to the house of his sister at Bhagalpur from where the victim disappeared. It is submitted that Raja and Ravindra have been arrested and Ravindra in his confessional statement before the police has stated that this petitioner had said not to disclose about the occurrence to anyone and he will ensure that the issue is resolved. The learned counsel for the petitioner further submits that based on the said



confessional statement of Ravindra, the name of the petitioner surfaced in the case, but then the statement of Ravindra does not disclose anything against the petitioner with regard to his role in the occurrence. It is thus submitted that at best, the petitioner came to be implicated in the instant case based on confessional statement of Ravindra in police custody which does not have any evidentiary value. It is also reiterated and submitted that petitioner is a neighbour of the informant and if informant had any suspicion with regard to petitioner of his involvement in the occurrence, in that event she would have raised suspicion against the petitioner either in the FIR or during the course of investigation.

7. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner. It is submitted that the victim till date has not been recovered, but then the learned counsel appearing on behalf of the informant fairly submits that name of the petitioner transpired in the confessional statement of Ravindra, it is further submitted that petitioner's investigation is required that as to why Ravindra took his name when petitioner has no concern with Ravindra. It is also submitted that in the event if privilege of anticipatory bail is granted to the petitioner,



the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Desari P.S. Case No. 200 of 2020 subject to the conditions as laid down under Section 482 (2) of BNSS.

9. One of the bailors of the petitioner shall be his son namely Vikesh Kumar.

10. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.



11. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, apart from confession, in that event the present anticipatory bail order shall lose its effect.

12. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

13. Accordingly, the instant anticipatory bail application stands allowed.

14. The personal appearance of the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

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