

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69539 of 2025

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

Lalan Paswan @ Shashi Raj Kumar Son of Shankar Paswan Resident of Ward
No.- 9, Village - Ladma, Post - Ladma, P.S.- Kahalgaon, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kailash Prasad Swarnkar, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The Investigating Officer, in compliance of the
order dated 30.10.2025, is present in the Court.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 363 and
366A/34 of the Indian Penal Code.

4. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent 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
F.I.R. was against unknown. It is further submitted that during
the course of investigation, it transpired that the victim was in



love with one Raja Kumar Paswan, who had a sister, namely Girija Devi, who was a widow, but then was living with one Ravindra Kumar in relationship who was employed with the C.R.P.F. at Jharkhand. It is next submitted that Raja Kumar Paswan and the victim eloped and Raja Kumar Paswan brought the victim to the house of his sister Girija Devi at Ladma, district Bhagalpur where Ravindra Kumar was also present. It also transpired during the course of investigation that daughter of Girija Devi from her first husband, disclosed to her grand parents that Raja Kumar Paswan had brought the victim to their house and thereafter Raja Kumar Paswan along with Ravindra Kumar have disappeared the victim.

6. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that petitioner is own brother of Ravindra Kumar who is in judicial custody. It is next submitted that confessional statement of Ravindra Kumar was also recorded who disclosed that Girija Devi was married to one Laddu and out of the wedlock three children were born, but after the death of Laddu, Girija Devi started staying with him and they fell in love and out of their relationship two children were born and she was pregnant for the third time. It was also



disclosed that Raja Kumar Paswan was in love with the victim and eloped and he came along with the victim to Ladma on 05.08.2020 from Bhikhanpura along with the petitioner. It is further submitted that on asking Girija Devi about the victim she disclosed that she is in relation and will get married to Raja Kumar Paswan and will stay at their home and Raja Kumar Paswan again came back after one and a half month and took the victim along with him.

7. Learned counsel for the petitioner submits that from perusal of the statement of Ravindra Kumar, as recorded in the case diary, it would manifest that with respect to petitioner he alleges that the victim was brought to Ladma by Raja Kumar Paswan and the petitioner from Bhikhanpura and thereafter the victim stayed at Ladma for a considerable period of time as it is disclosed that 45 days thereafter Raja Kumar Paswan again came to Ladma and took the victim along with himself. It is, thus, submitted that even presuming what has been disclosed by Ravindra Kumar to be true, in that event also the only allegation against this petitioner is that he brought the victim to Ladma from Bhikhanpura along with Raja Kumar Paswan but thereafter it was Raja Kumar Paswan who took the victim somewhere and thereafter she disappeared.



8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that apart from the statement of Ravindra Kumar, the police also recorded the statement of Saurabh, the maternal brother of Ravindra Kumar as a witness who disclosed that Girija Devi, after death of her husband, fell in love with him and he intended to marry, but then she came in contact with Ravindra Kumar, as such, their relationship did not fructify and the daughter of Girija Devi, namely, Divyanshi called him and disclosed that the victim has been done away with by Raja Kumar Paswan, Ravindra Kumar and Lalan Paswan @ Shashi Raj Kumar (petitioner). Learned A.P.P., thus, submits that from the statement of Saurabh, it transpires that the victim has been killed, on which learned counsel appearing on behalf of the petitioner submits that Saurabh falsely implicated Ravindra Kumar and petitioner for the reason that Girija Devi duped him. It is further submitted that Saurabh has not disclosed the mobile number by which Divyanshi had called him or else the said aspect would have been investigated. It is next submitted that though Ravindra Kumar in his statement has disclosed that he met the victim on 05.08.2020 at Ladma, but on the said date Ravindra Kumar was at Jharkhand, as would manifest from the certificate issued by



the Commandant-209 CoBRA Battalion, Khunti, Jharkhand dated 09.04.2025 and the said certificate has been brought on record by way of a supplementary affidavit which amply demonstrates that since Ravindra Kumar was in relationship with Girija Devi, as such, he came to be implicated.

9. Learned counsel for the petitioner next submits that petitioner will not abscond, rather will cooperate in the investigation, as and when required by the Investigating Officer of the case.

10. Considering the submissions made by the learned counsel for the petitioner, let 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 438 (2) of the Cr.P.C.

11. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court



is not cooperating in the investigation, in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

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

13. At this stage, learned counsel for the petitioner submits that inadvertently at para-2, it has been pleaded that petitioner was posted with the C.R.P.F. at Jharkhand when it was Ravindra Kumar and the certificate annexed is also with respect to Ravindra Kumar.

14. The office is directed to track and place the supplementary affidavit, office copy of which was produced by the learned counsel for the petitioner, on the record.

(Satyavrat Verma, J)

K.C.Jha/-

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