

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71770 of 2025**

Arising Out of PS. Case No.-174 Year-2025 Thana- RAJAOLI District- Nawada

Mukesh Kumar Paswan @ Sonu @ Mukesh Paswan, S/o Suresh Paswan, R/o Village-Panti, P.S.- Akbarpur, Distt.- Nawada.

... .. Petitioner

Versus

1. The State of Bihar
2. Lavkush Kumar, S/o Amit Vishwakarma, R/o Village-Gariba, P.S.-Rajauli, Dist.- Nawada.

... .. Opposite Parties

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      04-11-2025                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2.The accused/petitioner seeks bail in connection with Rajauli P.S. Case No.174 of 2025 registered for the offences punishable under Sections 137(2), 64 of the Bhartiya Nyaya Sanhita, 2023 (for short 'BNS') as well as Sections 4 and 6 of the Protection of Children from Sexual Offences Act (in short 'POCSO Act').

3. The accused/petitioner is named in the FIR and is in custody since 02.07.2025.



4. Allegation against the petitioner is to kidnap the minor sister of informant aged about 16 years for the purpose of illicit intercourse/marriage with another person.

5. It is submitted by learned counsel appearing for the petitioner that the victim was in love affairs with this petitioner and when marriage of victim with petitioner for any social reasons could not solemnized, the present false implication was raised, which can be gathered safely from the statement of victim as recorded under Section 183 of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS'). It is submitted that the victim has visited several places of this country with this petitioner for long two months. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions



and by taking note of fact as *prima facie* allegation of penetrative sexual assault/rape appears to be raised in the background of false promise of marriage as per statement of victim recorded under Section 183 of BNSS, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 02.07.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 6<sup>th</sup> Additional District Judge-cum-Special Judge POCSO Act, Nawada in connection with Rajauli P.S. Case No.174 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the BNSS.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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