

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73293 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- INDUSTRIAL AREA District- Vaishali

Chhotu Kumar S/O Mithun Paswan @ Mithu Bhagat R/O Village- Bari
Yusufpur, P.S- Industrial Area, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajkumar Paswan S/O Parmeshwar Paswan R/O Village- Bari Yusufpur, P.S-
Industrial Area, Distt.- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravish Mishra, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Raunak Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-11-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with
Industrial Area P.S. Case No. 95 of 2025 instituted for the
offences under Sections 139, 96, 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. Accusation against the accused persons including
the petitioner is of kidnapping the informant's minor daughter
with wrong intentions.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner submitted that victim in her Statement recorded under Section 183 of the BNSS has specifically stated that she left her house on her own sweet will and this petitioner never gave any compulsion or threat to her. He further submitted that victim in her statement has specifically stated that she has solemnized marriage with the petitioner on her own sweet will. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.07.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner stating that victim is minor and her consent has no value in the eye of law. Learned APP for the State further submitted that police, after completion of investigation, submitted chargesheet under Sections 137(2), 96, 3(5) of the Bharatiya Nyaya Sanhita, Sections 4/6 of the POCSO Act and Sections 9/11 of the Prevention of Child Marriage Act.

6. Considering the aforesaid facts and circumstances of the case as also the submission of charge-sheet after due investigation under the aforesaid Sections, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the



petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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