

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78072 of 2024

Arising Out of PS. Case No.-729 Year-2020 Thana- SASARAM NAGAR District- Rohtas

Rahul Paswan @ Rabi Shankar Kumar S/O Bhagirathi Paswan @ Bhagirathi Ram @ Bhagirathi Ram R/O Village- Gharbair, P.S- Sasaram Nagar (Darigaon) ,Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 16-04-2025 Heard Mr.Babu Nandan Prasad, learned counsel
for the petitioner and Mr.Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sasaram Nagar (Darigaon) P.S. Case No.729 of 2020, dated 04.11.2020 registered for the offences punishable under Sections 363,366(A),34 of IPC.

3. The prosecution case, in short, is that on 02.11.2020, accused persons including the petitioner are alleged to have kidnapped the daughter (the victim) of the informant.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in



the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact the petitioner was in love with the daughter of the informant and he has performed the marriage with the daughter of the informant, namely, Lalsa Kumari in the year 2020 itself. The victim was recovered and her statement was recorded under Section 164 Cr.P.C./ Section 183 of BNSS, 2023 in which she has categorically stated that she has performed the marriage with the petitioner and she is happily residing in the house of the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and the victim has not supported the case of the prosecution in her statement under Section 164 Cr.P.C./ Section 183 of BNSS, 2023, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas, Sasaram in connection with Sasaram Nagar (Darigaon) P.S. Case No.729 of



2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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