

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1019 of 2025

Arising Out of PS. Case No.-112 Year-2024 Thana- SURYAGARHA District- Lakhisarai

Ashish Kumar S/O Narain Paswan R/O Village- Ali Nagar, P.S- Surajgarha,
Distt.- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjay Paswan S/O Laggu Paswan @ Jhaggu Paswan R/O Village- Ali Nagar, P.S- Surajgarha, Distt.- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Parmanand Pd. Nr. Sahi, Advocate
For the State	:	Mr. Upendra Kumar, APP
For the Informant	:	Mr. Amarendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 09-04-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Suryagarha P.S. Case no.112 of 2024 registered under sections 363, 365, 341, 323, 504, 506 and 34 of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the informant states that his niece who was a minor was taken away by the petitioner for oblique reasons. It is stated that he further threatened that in the event of any case being lodged, she would be killed.

4. Learned counsel for the petitioner submits that the alleged victim returned and her statement was recorded



under section 164 Cr.P.C. from which it would transpire that she is not a minor and she has falsified the prosecution case. The petitioner is in custody since 12.9.2024 and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner is named in the FIR and there is direct allegation against him of having taken away the minor victim. Referring to the certificate produced, it is submitted that the victim was a minor. It is further submitted that as per oral instructions received, after having been recovered the victim died. Learned APP appearing for the State submits that it is true that the victim in her statement under section 164 Cr.P.C. has been described as 18 years old. There is nothing on record with respect to the death of the victim.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the age of the victim having been stated to be 18 years in the statement under section 164 Cr.P.C. and the victim having categorically stated that she went with the petitioner out of her own free will



together with the petitioner having remained in custody for over 6 months since 12.9.2024 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Suryagarha P.S. Case no.112 of 2024 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge VI-cum-Special Judge, POCSO Act, Lakhisarai.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

