

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6530 of 2026

Arising Out of PS. Case No.-154 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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KRISHNA PASWAN @ KRISHNA KUMAR, aged about 19 years, Male,
S/o- Ramayan Paswan R/v- Paterwa Ps- Muffasil Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/o- Late Shambhu Das R/v- Gadhaiya Ps- Muffasil Dist- East
Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 05-05-2026 Heard Mr. Manjeet Kumar Mishra, learned counsel

appearing on behalf of the petitioner and Mr. Satyendra Prasad,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Muffasil P.S. Case No. 154/2024 registered for the
offence(s) punishable under Sections 366,366A of the IPC and
Section 8 of POCSO Act.

3. As per the allegation made in the FIR, the
petitioner has kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. It is further submitted that



petitioner and the informant's daughter were in a consensual relationship, which has been duly acknowledged by the girl in her statement recorded under Section 183 of the BNSS. In the said statement, she has also stated that the petitioner has not forcibly kidnapped her, rather she has willingly gone with the petitioner. It is further submitted that the petitioner has clean antecedent.

5. Learned APP appearing on behalf of the State have vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties and upon perusal of the allegations made in the FIR, as well as, the statement of the victim recorded under Section 164 of the Cr.P.C, it appears that the petitioner who is aged about 19 years and the informant's daughter were in a relationship, which has been acknowledged by the girl in her statement recorded under Section 164 of the Cr.P.C. She has further stated that the petitioner has not forcibly kidnapped her, rather she has willingly gone with the petitioner. Considering the aforesaid facts and circumstances, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail



bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 6th Addl. Sessions Judge-cum-Special Judge, POCSO, Motihari, East Champaran / Concerned Court in connection with Muffasil P.S. Case No. 154/2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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