

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11493 of 2026

Arising Out of PS. Case No.-282 Year-2025 Thana- PALIGANJ District- Patna

Prakash Paswan S/O Jawahar Paswan R/O Village- Bherhariya English, P.S-
Paliganj, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/O YYY R/O Village- Bherhariya English, P.S- Paliganj, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 12-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 137(2) and 140(3) of BNS.

3. The case of the prosecution is that the minor daughter of the informant was missing. The informant suspects that the petitioner has kidnapped his minor daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the order of the learned trial court, it will transpire that the learned trial court has recorded that the victim in the statement recorded



under Section 183 of BNSS has stated that she has voluntarily accompanied the petitioner. Learned counsel has further submitted that this statement of the victim goes to show that the petitioner has not kidnapped her rather she herself has gone with the petitioner on her own sweet will. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 23.06.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Paliganj P.S. Case No. 282 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VII cum Exclusive Special Judge, POCSO, Patna.

(Ashok Kumar Pandey, J)

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