

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13715 of 2026

Arising Out of PS. Case No.-107 Year-2024 Thana- SANGRAMPUR District- East
Champaran

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Vikesh Paswan Son of Dukhi Paswan R/o Gillage-Sangrampur, Ward No 04,
P.S-Sangrampur, District-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX Son of Not Known R/o Gillage-Sangrampur Pachshimi Tola, P.S-
Sangrampur District-East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjana Srivastava, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-04-2026 Heard learned counsels for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 363, 366A, 504/34 of the
Indian Penal Code and Sections 8 and 12 of the Protection of
Children from Sexual Offences Act.

3. As per the prosecution case, all the FIR named
accused persons including this petitioner kidnapped 16 years
minor daughter of the informant.

4. Learned counsel appearing for the petitioner
submits that petitioner is innocent and has falsely been
implicated in this case. F.I.R. has been lodged after delay of 15



days without any explanation which renders the entire prosecution case doubtful. Learned counsel for the petitioner further submits that the victim in her 164 Cr.P.C. statement has denied the allegation and has stated that she herself left the house to perform marriage with this petitioner since there was a love affair between them. Victim has further stated that she has performed marriage with this petitioner and they are leading happy conjugal life. In the 164 Cr.P.C. statement, her age has been mentioned as 17 years. Learned counsel has placed reliance upon order of the Division Bench of this Court dated 23.09.2010 passed in **Cr.W.J.C. No. 991 of 2010 (*Sahebi Khatoon @ Sahebi Versus State of Bihar and other*)**, wherein this Court has directed to treat a girl as major in case her age assessed to be between 16 to 17 years. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering statement of the victim recorded under Section 164 of Cr.P.C., this anticipatory bail is allowed and it is ordered that the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged 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 6th District & Additional Sessions Judge-cum-Exclusive Special Judge, POCSO Act, East Champaran, Motihari in connection with Sangrampur P. S. Case No. 107 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita.

(Prabhat Kumar Singh, J)

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