

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31008 of 2026

Arising Out of PS. Case No.-445 Year-2025 Thana- GHORASAHAN District- East
Champaran

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1. Shivnath Paswan S/o Late Dularchand Paswan Both Resident of Village - Ghorasahan PS. - Ghorasahan, Dist. - East Champaran.
 2. Kalawati Devi @ Sanmati Devi W/o Shivnath Paswan Both Resident of Village - Ghorasahan PS. - Ghorasahan, Dist. - East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Ghorasahan P.S. Case No. 445 of 2025 registered for the offences punishable under Sections 137(2), 96, 303(2), 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. As per FIR, the grand-son of petitioner alleged to kidnapped the minor daughter of the informant aged about 15 years for the purpose of illicit intercourse/marriage with another person.

4. Learned counsel appearing on behalf of the petitioner submitted that in fact the daughter of the informant was in love



with the grand-son of petitioner and when their love affairs was not approved by the informant and his family members, the daughter of the informant left her parental home out of her own will and solemnized marriage with the grand-son of the petitioner.

5. It is submitted that the victim has herself supported this factual aspect while recording her statement under section 183 of the B.N.S.S., where she categorically challenged the allegation of sexual assault and kidnapping. Arguing further, petitioners implicated only for the reason that they are the grand-parents of the main co-accused with whom the daughter of the informant alleged to solemnize marriage. Both petitioners are senior citizens having clean antecedent.

6. Learned A.P.P. for the State opposes the prayer of anticipatory bail of the petitioners.

7. In view of the aforesaid factual submissions and by taking note of the fact as petitioners are the grand-parents of the main co-accused, where victim, after recovery, appears denied the allegation of kidnapping and sexual assault, coupled with the fact that petitioners have no criminal antecedent, accordingly, both above-named petitioners, in the event of their arrest/surrender within a period of four weeks from this order,



are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sikarhana, Dhaka, East Champaran/ concerned court in connection with Ghorasahan P.S. Case No. 445 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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