

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36505 of 2026

Arising Out of PS. Case No.-280 Year-2023 Thana- BARH District- Patna

1. Madan Mohan Kumar @ Madan Mohan Das @ Manmohan Das Son of Dhanpat Paswan @ Dhanpat Das Resident of Village- Malahi Kali Sthan, Ibrahimpur, P.S.- Barh, District- Patna
2. Mirtunjay Kumar @ Mritunjay Das @ Mrityunjay Paswan Son of Dhanpat Paswan @ Dhanpat Das Resident of Village- Malahi Kali Sthan, Ibrahimpur, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-06-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Barh P.S. Case No. 280 of 2023 registered for the offences punishable under Sections 363, 365 and 34 of the Indian Penal Code.

3. The allegation against petitioners is to kidnap the minor daughter of informant aged about 16 years for the purpose of illicit intercourse/marriage with another person.

4. It is submitted by learned counsel appearing on behalf of the petitioners that during the course of investigation after recovery of victim her statement was recorded under Section 183 of the BNSS, where she categorically stated that she



out of her own sweet will left her house and stated nothing incriminating against petitioner. Arguing further, it is submitted that petitioner no. 1 married with the victim and they are blessed with one child and are living happily. It is pointed out that petitioner no. 2 implicated with the present case only for the reason as he is brother of petitioner no. 1. It is further submitted that knowing the correct positions regarding kidnapping the joint compromise petition was filed before learned Trial Court, which is apparent from the order dated 17.03.2026. The written compromise petition is available with the bail petition as annexure-P/2. While concluding argument, it is submitted that both above named petitioners are men of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as prima-facie victim negates the allegation of kidnapping and sexual assault against petitioners, rather she stated that she out of her own sweet will left her house, accordingly both above-named petitioners, who are men of clean antecedent, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to



the satisfaction of the learned ACJM-I, Barh, Patna/concerned Court, where the case is pending in connection with Barh P.S. Case No. 280 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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