

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36039 of 2026

Arising Out of PS. Case No.-557 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

1. Baidnath Paswan son of Jamun Paswan Resident Of Village -Chaknoor, Ps- Hajipur Sadar, Dist- Vaishali
2. Umesh Kumar @ Umesh Paswan son of Baidnath Paswan Resident Of Village -Chaknoor, Ps- Hajipur Sadar, Dist- Vaishali
3. Raja Kumar Son of Bhuneshwar Paswan Resident Of Village -Chaknoor, Ps- Hajipur Sadar, Dist- Vaishali
4. Monu Kumar Son of Surendra Paswan Resident Of Village -Chaknoor, Ps- Hajipur Sadar, Dist- Vaishali
5. Raj Kumar @ Raja Babu Kumar Son of Mahendra Paswan Resident Of Village -Chaknoor, Ps- Hajipur Sadar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-06-2026 The Court proceeding is being conducted through virtual mode.

2. None appears on behalf of the petitioners even after repeated calls. However, learned APP for the State is present.

3. The petitioners are apprehending arrest in connection with Hajipur Sadar P.S. Case No. 557 of 2024 lodged on 09.08.2024, for the offence punishable under Sections 137(2) & 96 of the Bharatiya Nyaya Sanhita, 2023.

4. From the contents of the present FIR, it is clear that



the FIR has been lodged against six named accused persons including the present petitioners with allegation that they all in connivance with each other have kidnapped the minor daughter of the informant.

5. The plea has been taken in the bail petition that the petitioners are innocent and have committed no offence and they have been falsely implicated in the present case. It has been further pleaded that the victim herself appeared before the police station on 18.03.2026 and thereafter, police brought her before the doctor for medical examination, but she refused for medical examination in presence of the doctor. It has been also pleaded that the victim girl told her age as 20 years and learned Magistrate has also assessed her age as 20 years. The victim girl has disclosed that she had married with one Ramesh Kumar who is not the petitioner here in the present bail application. It has also been pleaded that the petitioner no.1 is father and the petitioner no.2 is brother of the co-accused Ramesh Kumar and rests persons are co-villagers and co-accused. The petitioners have no criminal antecedent.

6. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that Annexure-P/2 is the copy of the statement in which the Court has ascertained the age



of the victim girl as 20 years.

7. It transpires to this Court that by virtue of the allegation made in the FIR, section 96 of the B.N.S has not been attracted and section 137(2) of the B.N.S may be attracted for which under B.N.S.S, punishment is five years and offence is bailable.

8. As such, in the present facts and circumstances of this case, let the above named petitioners be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 557 of 2024, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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