

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42006 of 2026

Arising Out of PS. Case No.-374 Year-2025 Thana- GRIYAK District- Nalanda

Prem Kumar, Son of Pappu Kumar @ Pappu Paswan, Resident of Village -
Rani Sarai, Katrisarai, P.S. - Giriyak (Pawapuri O.P.), District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Giriyak

(Pawapuri O.P.) P.S. Case No.374 of 2025 registered under

Sections 137(2), 140(3) of the Bhartiya Nyaya Sanhita,

2023 (in short 'B.N.S.').

3. As per FIR, the informant alleged that his

grand-daughter and one of her friend both aged about 15

years went to High School, Ghoshrawan for their study but,

failed to return village by evening, whereafter he made lot of

search for them but, finally could not traced them. He



alleged that his grand-daughter and her friend intentionally left their home. Further, informant disclosed the descriptions of both missing girls in the FIR.

4. It is submitted by learned counsel for the petitioner that during course of investigation, the grand daughter of the informant was recovered and thereafter, her statement under Section 183 of the BNSS was recorded, where she stated that she left her home out of own will and went to the house of her friend namely, Prem Kumar. It is submitted that there is no allegation of physical relationship or sexual assault against petitioner. It is submitted that the similar allegation was raised by another minor girl for the co-accused Rohit Kumar. It is submitted that as this petitioner was given shelter to the grand daughter of the informant, who left her house due to certain argument with her parents, out of said reason, the petitioner was implicated falsely with present crime in question. It is submitted that allegation of kidnapping and sexual assault is not available against this petitioner and when informant came to know truth that petitioner did not commit anything wrong with his grand-



daughter, a compromise was made between the parties, which was filed before the court of Principal District and Sessions Judge, Nalanda, Bihar Sharif on 18.05.2026. The petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions, as allegation of kidnapping and physical relationship/sexual assault not appears available against this petitioner, who is a man of clean antecedent, coupled with the fact that the dispute and differences for raising suspicion *qua* involvement of petitioner now appears compromised between the parties, accordingly, the petitioner, above-named, who is a man of clean antecedent, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda in connection with Giriyak (Pawapuri O.P.) P.S. Case No.374 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure (in short 'CrPC')/under Section 482(2) of the
Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

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