**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.49381 of 2026**
**CNR No. BRHC010683752026**

Arising Out of PS. Case No.-136 Year-2025 Thana- RAJAPAKAR District- Vaishali

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1. Raj Kumar Paswan @ Raj Kumar Son of Manoj Paswan Resident of Village - Panapur Langa, Ps- Sadar Hajipur Sadar Dist- Vaishali
2. Shyam Babu Paswan @ Shyam Babu Kumar Son of Prem Shankar Paswan R/O Village- Jagdishpur, Ps- Rajapakar (Barati), Dist- Vaishali

... ... Petitioner/s

Versus

1. The State of Bihar
2. Shabana Khatoon Daughter of Late Mustafa R/O Village- Bishunpur titra, Ps- Rajapakar (Barati), Dist- Vaishali

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the State : Mr. Murli Dhar, A.P.P.
For the O.P. No.2 : Ms. Sweta Raj, Advocate

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**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**

ORAL ORDER

3 27-10-2026 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the opposite party no.2.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126, 115(2), 64, 318(4), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation in the F.I.R. is that the petitioners along with other co-accused persons threatened the informant to compromise earlier criminal case lodged by her, on refusal of the same, the petitioners established physical relationship with her and took her signature on settlement paper.

4. Learned counsel for the petitioners submits that the

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present case has been lodged with totally false and concocted allegations and as a matter of fact, the same has been lodged after a delay of two days, inasmuch as while the occurrence is alleged to have taken place on 22.04.2025, the F.I.R. was registered on 24.04.2025, for which no plausible explanation has been tendered. It has been submitted that earlier also the informant had lodged Rajapakar P.S. Case No. 273 of 2023 against one Chandramohan Kumar, the brother of the petitioner no.2 and had made petitioner no.2 also an accused therein, but in the said case the police had exonerated him and the final form was also accepted by the Court. It is only thereafter that the present case has been filed and the informant is a married lady who has been deserted by her husband.

5. Although the informant has tried to support her case in the statement under Section 183 of the B.N.S.S., but she has also accepted therein that she actually had some relationship with the brother of this petitioner and thereafter, since the marriage could not materialize, she had filed a rape case earlier. However, the attention of this Court has been invited to the fact that the informant is now married to some other person and Annexure-P/5 also indicates that good relations have been established between the parties and they do not want to pursue the present case any further.

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6. The counsel appearing for the opposite party no.2 supports the factum of amicable relations having been established between the parties.

7. Taking into consideration the facts and circumstances of the case and also considering the repeated case of similar nature by the same informant against the petitioner while earlier had resulted in a final form and further considering that the parties do not want to pursue the case any further, let the above named petitioners, who have no criminal antecedent but for one earlier case lodged by the present informant, which resulted in a final form, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on 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 Court below where the case is pending/successor Court in connection with Rajapakar P.S. Case No. 136 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

**(Soni Shrivastava, J)**

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