IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66451 of 2026

CNR No. BRHC010790102026

Arising Out of PS. Case No.-262 Year-2025 Thana- Tilkamanjhi District- Bhagalpur

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Soldier Kumar Son of Subodh Paswan Resident of Village - Punsiya, P.S.- Rajaun, District - Banka.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Indradev Paswan Son of Videshi Paswan Resident of Sachidanand Nagar, P.S.- Tilkamanjhi, District - Bhagalpur

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rashid Zafar, Adv.
Ms. Asmita Ravi, Adv.
Mr. Abul Faiz, Adv.
Mr. Shubh Bansal, Adv.
Mr. Ajat Shatroo, Adv.
For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

4 06-11-2026 Heard the parties.

2. The petitioner seeks bail in connection with Tilkamanjhi P.S. Case No. 262 of 2025 registered for the offence under Sections 96 of BNS.

3. The petitioner is named in the F.I.R. and is in custody since 11.05.2026.

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

5. Learned counsel appearing on behalf of the

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petitioner submitted that as love affiars of the victim daughter of the informant with petitioner was not approved by her family member, the present false case was lodged against this petitioner. It is pointed out that during course of investigation the statement of victim was recorded under section 183 of the BNSS, where she categorcially stated that she left her parental home on 28.11.2025 at about 10 A.M. when her parents assaulted her. It is submitted that after leaving her parental home she called this petitioner and asked him to come Rajaun from where she went to Punsiya and on the very next date she came to the house of her maternal aunt. In this context it is further submitted that thereafter knowing about lodging of present case the victim returned to her parental home. It is submitted that the aforesaid statement of victim categorically negate the allegation of kidnapping and sexual assault, against petitioner. It is also submitted that victim refused to join medical examination. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has already completed,

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for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as victim *prima-facie* negated the allegation of kidnapping and sexual assault against petitioner through her statement recorded under section 183 of the BNSS, coupled with fact as investigation of this case has already concluded, wherein petitioner remains in custody since 11.05.2026, accordingly petitioner above named, is directed to be released on bail in connection with Tilkamanjhi P.S. Case No. 262 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge, POCSO cum ADJ VII, Bhagalpur /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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