

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61439 of 2025

Arising Out of PS. Case No.-364 Year-2024 Thana- PIPRA District- East Champaran

Dheeraj Kumar @ Dheeraj Kumar Paswan S/o Sunil Paswan R/o Village-
Talwa, P.S.- Kotwa, District- East Champaran, Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dinanath Yadav S/o Nageshwar Ray R/o Village- Balwa, P.S.- Pipra, Dist.-
East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sharda Nand Mishra, Advocate Mr. Deepak Kumar, Advocate Mr. Bishnu Nath Mahto, Advocate Mr. Dhandev Kumar, Advocate
For the State	:	Mr. Ahmad Ali, APP
For O.P. No.2	:	Mr. Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 05-02-2026 Heard learned counsel for the petitioner, learned APP

for the State as well as learned counsel appearing on behalf of

the informant.

2. Learned counsel for the petitioner, at the outset,

submits that inadvertently at para-1, it has been pleaded to grant
anticipatory bail to the petitioner when petitioner is in custody,
as such, seeks permission to rectify the pleading made at para-1
and 2 of the bail application in course of the day.

3. Permission is accorded.

4. The petitioner seeks bail in a case registered for the

offences punishable under Sections 137(2), 96 and 61 of B.N.S.,



2023.

5. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 07.12.2024, the petitioner along with other accused persons kidnapped his minor daughter, aged about 13 years.

6. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that victim and the petitioner were in love and they eloped. It is also submitted that victim has come back and a Medical Board was constituted to assess her age and the Medical Board found the victim in between 18-19 years. It is also submitted that even the learned Magistrate assessed the victim to be 17 years of age but then in order to give seriousness to the case, the informant, in the FIR, falsely alleged that victim is a minor, aged about 13 years, without bringing on record any legal document to substantiate his case. It is also submitted that statement of victim was recorded under Section 183 B.N.S.S. wherein she has not supported the case of the prosecution rather has stated that she eloped with the petitioner with whom she was in love.

7. Learned APP and the learned counsel appearing on



behalf of the informant oppose the bail application but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that Medical Board assessed her in between 18-19 years and the learned Magistrate assessed the age of the victim as 17 years and the victim in her statement recorded under Section 183 B.N.S.S. has not supported the case of the prosecution.

8. Considering the submissions made by learned counsel for the petitioner, let petitioner, above-named, be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sadar, East Champaran, Motihari in connection with Pipra P.S. Case No.364 of 2024.

(Satyavrat Verma, J)

Sanjay/-

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