IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64343 of 2026

CNR No. BRHC010918862026

Arising Out of PS. Case No.-158 Year-2026 Thana- PHENHARA District- East Champaran

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Dhiraj Paswan @ Dhiraj Kumar Son of Jagdish Paswan @ Jagdish Hajari Resident of Village - Madhuwani, P.S.- Phenhara, District - East Champaran.

... ... Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Y Resident of village - Madhubani, P.S.- Phenhara, District - East Champaran

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

3 28-10-2026 Heard learned counsel for the petitioner and the learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Fenhara P. S. Case No. 158 of 2026 instituted for the offences under Sections 137(2), 3(5), 96 of the B.N.S. and under Sections 8 and 12 of the POCSO Act.

3. The prosecution case, in short, is that on 29.06.2026 at about 01:00 hours in day, the informant's husband and her son had gone to the field and informant and her daughter were at home. In due course, co-accused Indal Paswan and Dhiraj Paswan (petitioner) came there and told to the victim that her father asked for a bottle of water, then victim went out from her

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house to go there and when the informant went there, she did not see the victim there. It has further been alleged that in course of search, informant went to the house of Indal Paswan and Dhiraj Kumar (petitioner), then Meena Devi, Bachha Paswan, Surendra Paswan, Sudhir Paswan and Indal Paswan were present there and stated that they had kidnapped the victim and set her to Nepal, where Dhiraj Paswan forcefully solemnized marriage with her. It is alleged that there is a suspicion that the victim may be forced into prostitution.

4. Learned counsel for the petitioner submits that the victim is a major and the petitioner has falsely been implicated in the present case. He further submits that petitioner is in custody since 14.07.2026 and has a clean antecedents. He lastly submits that the charge-sheet has been filed.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and insisted that the victim is minor.

6. Having heard the parties and taking into consideration that the charge-sheet has been submitted and after considering the statement of the victim under Section 183 of the B.N.S.S. and also considering the period of custody undergone by the petitioner, this Court is inclined to grant bail to the

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petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Fenhara P. S. Case No. 158 of 2026.

(Alok Kumar, J)

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