

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66670 of 2025

Arising Out of PS. Case No.-281 Year-2023 Thana- ADAPUR District- East Champaran

Munna Sah S/o Late Suresh Sah R/O Village- Bakhari, P.S.- Adapur, District-
East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalan Paswan S/o Rajvanshi Paswan R/o Village- Bakhri, P.S.- Adapur,
District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Prasad, Advocate
For the State : Mr. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 11-02-2026 Heard Mr. Vishal Prasad, learned counsel for the

petitioner and Mrs. Usha Kumari 1, learned APP representing

the State.

2. The petitioner is apprehending his arrest in connection with Adapur P.S. Case No. 281 of 2023 registered for the offence under Sections 363, 366(A), 504 and 34 of the Indian Penal Code and section 8 of the POCSO Act as also section 3(1)(r)(s) and 3(2)(va) of the SC/ST Act, lodged on 19.09.2023 by the informant, Lalan Paswan.

3. Earlier the notices were issued to the opposite party no.2 as per the office report, the same has been served through family member Kusum Devi.

4. As per the prosecution story, the informant alleged that his daughter went to the college but failed to return and expecting the role of the petitioner/family members when the



family was confronted, was abused. This followed the F.I.R..

5. Learned counsel for the petitioner submits that actually they were in relationship, the girl was major at the time she on her own left the home, solemnized marriage with the petitioner but the parents lodged the F.I.R.. He has taken this Court to the learned Sessions Judge order to show that in her statement under section 164 of the Cr.P.C., the girl accepted this fact that she went on her own and solemnized marriage with the petitioner.

6. Learned APP opposes the prayer submitting that the girl was minor at the time she was taken away.

7. Considering the submissions of the parties particularly the statement of the victim girl before the court as recorded above couple with the fact that the petitioner is 22 years of age, student having no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 7th District & Additional Sessions Judge-



cum-Special Judge, POCSO Act, East Champaran, Motihari, in connection with Adapur P.S. Case No. 281 of 2023 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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