

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67093 of 2025

Arising Out of PS. Case No.-62 Year-2014 Thana- PUNPUN District- Patna

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Suman @ Suman Kumar @ Suman Paswan Son of Late Sulochan Paswan
R/o Village - Mohanpur Doghra, P.O.- Bahpura, P.S.- Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, A.P.P

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 17-01-2026 Heard learned counsel for the petitioner and

learned A.P.P for the State.

2. The petitioner apprehend his arrest in a case registered under sections 363, 366, 366(A) and 120(B) of the IPC.

3. As per the prosecution case, the informant's daughter had left the house on 21.04.2014 and a sanha was registered on the following day for informing the said missing of the informant's daughter. Subsequently, the First Information Report was lodged on 02.05.2014 with the allegations that some unknown persons used to call the victim on her phone and have lured the victim away.

4. Learned counsel for the petitioner at the



outset submits that the First Information Report was lodged after inordinate delay of about eleven days in as much as, while the daughter of the informant went missing on 21.04.2014, the F.I.R was lodged on 02.05.2014 and the petitioner was not even named in the First Information Report as an accused. Subsequently, after recovery of the victim girl, her statement under Section 164 of Cr.P.C was recorded wherein she has stated her age to be eighteen years, narrating a story about she being opposed to her father fixing her marriage with some person, as such, she went away with the petitioner with whom she had come in contact over telephone and travelled initially to Delhi and then to Gujarat where she stayed along with him. In the later part of the 164 statement of Cr.P.C, she has stated that the petitioner had proposed to marry her but it was she who refused the said marriage. The age of the victim in the F.I.R has also been disclosed as seventeen years. It has further been submitted that the petitioner is residing in Gujarat for his livelihood and till date no coercive steps have been taken against him and he was totally unaware of any F.I.R being pending against him.



5. The learned A. P.P. for the State opposes the grant of anticipatory bail on the ground of the statement of the victim girl under section 164 of Cr.P.C and as also the delay caused in approaching this Court for anticipatory bail.

6. Taking into consideration the facts and circumstances and also considering the fact there is an inordinate delay in lodging of the FIR, the petitioner not being named in the First Information Report and coupled with the fact that the victim was a minor or on the verge of the majority who took an informed and a conscious choice of being with the petitioner and further considering the fact that no coercive process has been taken against the petitioner who is staying in Gujarat, let the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Punpun case no. 62 of 2014 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section



482(2) of the B.N.S.S, 2023.

7. However, on account of the delay already having caused in the case, it is directed that one of the bailors would be a family member/close relative and the other would be a local resident of the jurisdiction of the court.

8. The petitioner is directed to cooperate fully in the investigation and subsequently in the trial and in case any delay is caused on account of his non-cooperation, the learned court concerned would be at liberty to cancel the bail bond of the petitioner.

(Soni Shrivastava, J)

vashudha/-

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