

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82181 of 2025

Arising Out of PS. Case No.-124 Year-2025 Thana- MANSAHI District- Katihar

Ashish Kumar Paswan Son of Binod Paswan Resident of Village- Santola
Fulhara (Fulbara) PS- Mansahi, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Mansahi P.S. Case No. 124 of 2025 registered for the offences
under Sections 126(2), 115(2), 69, 351(2), 351(3) of the
Bharatiya Nyaya Sanhita, 2023.

3. As per the informant, she is a widow and she came
in contact with the petitioner, who used to frequently visit her
house and on the promise of marriage, he even established
physical relationship with her. It is further alleged that the
petitioner had also taken Rs.5,00,000/- from her on the
assurance that he would solemnize marriage, however, he
started avoiding her and when she came to the house of the
petitioner, his parents abused her and ousted her from there.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated only to pressurize him for solemnizing marriage with her. It has next been submitted that the informant happens to be a married widow and has two children and only to coerce the petitioner to marry, this false and concocted case has been registered. It has also been submitted that the use of the words in the FIR would go on to show that the relationship between the petitioner and the informant was consensual. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Mansahi P.S. Case No. 124 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S.



as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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