

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83053 of 2025

Arising out of PS. Case No.-342 Year-2024 Thana- NADI P.S. District- Patna

Rajeev Kumar @ Rajiv Kumar, Son of Karu Paswan, Resident of Village - Rustampur, P.S. - Rustampur, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lilawati Devi Wife of Tantan Paswan R/o Village - Samaspur, P.S. - Nadi, Dist. - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shyamal Prakash, Advocate
For the State	:	Mr. Anuj Kumar Shrivastava, APP
For the Informant	:	Ms. Lilawati Devi, Advocate

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

5 07-05-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in Nadi P.S. Case No. 342 of 2024 registered for the offences punishable under Sections 137(2), 140(3), 3(5), 3(5) of the BNS 2023.

3. The FIR has been lodged with the allegation that the victim girl fled away from the house with the help of her father. The FIR has been lodged by the mother.

4. Learned counsel for the petitioner submits that the girl after recovery gave her statement under section 183 BNSS. where she stated that she has gone with her brother-in-law out of



her own free will. During trial, in her deposition she deposed as PW 1 where she completely gave up the prosecution story like her mother who is informant. He further submits that the petitioner is in custody since 13.11.2024 and has no criminal antecedent.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the statement recorded under section 183 BNSS that she has gone with her brother-in-law out of her own free-will, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Exclusive Special Judge Rape and POCSO Act, Patna in connection with Nadi P.S. Case No. 342 of 2024 (Special POCSO Case No. 197 of 2025), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita.



8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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