

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85754 of 2025**

Arising Out of PS. Case No.-158 Year-2025 Thana- KUMAR KHAND District- Madhepura

Dilkhush Kumar Paswan Son of Kishan Paswan @Vishundev Paswan  
Resident of village Gudiya, P.S. Kumarkhand, District - Madhepura

... .. Petitioner/s

## Versus

1. The State of Bihar
2. X W/o Y R/o village Gudiya, W. No. 12, P.S. Kumarkhand, District Madhepura

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate  
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP  
For the Informant : Mr. Manjeet Kumar Mishra, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3     30-03-2026                      Heard Mr. Nafisu Zzoha, learned counsel for the  
petitioner, Mr. Syed Mojibur Rahman, learned A.P.P. for the  
State and Mr. Manjeet Kumar Mishra, learned counsel for the  
Informant.

2. The petitioner seeks bail, who is in custody since 17.07.2025 in connection with Kumarkhand P.S. Case No. 158 of 2025, FIR dated 07.07.2025 registered for the offence under Section 96, 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to the prosecution case, it is alleged that on 05.07.2025 at about 5.00 PM, the petitioner along with



other co-accused persons kidnapped the minor daughter of the informant with intention for marriage.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in this case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R and the petitioner is rotting in judicial custody since 17.07.2025.

5. Learned counsel for the Informant as well as learned A.P.P. for the State on the basis of materials available on record as well case diary have vehemently opposed the prayer for bail of the petitioner and submits that statement of the victim was recorded under Section 183 BNSS in which she has fully supported the case of the prosecution and she has also stated that the petitioner and other co-accused persons committed rape upon her and apart from that date of the birth of the victim is 17.08.2010 which suggest that on the alleged date of occurrence, she was minor.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with District & Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Madhepura pending in the Court of



Kumarkhand P.S. Case No. 158 of 2025,.  
7. Prayer is refused.

**(Rajesh Kumar Verma, J)**

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