

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86337 of 2025

Arising Out of PS. Case No.-325 Year-2025 Thana- Kavaiya District- Lakhisarai

-
1. Nitish Kumar, Male, aged about 18 years, Son of Raj Kumar Paswan,
 2. Shobha Devi, Female, aged about 49 years, Wife of Raj Kumar Paswan
 3. Raj Kumar Paswan, Male, aged about 51 years, Son of Sukho Paswan,
- All are Resident of Village- Naya Tola, Makuna, Ward No.-29, P.S.-
Kabaiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Irshad, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-01-2026 Heard Mr. Md Irshad, learned counsel appearing on
behalf of the petitioners and Mr. Bishweshwar Ram, learned
APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Kabaiya P.S. Case No. 325 of 2025, registered for the
offence punishable under Sections 96, 3(5) of the BNS.

3. As per the allegation made in the FIR, petitioners
had allegedly kidnapped the minor daughter of the inofrmant.

4. Learned counsel appearing on behalf of the
petitioners submitted that petitioners are innocent and have
falsely been implicated in the present case. Victim in her



statement recorded under Section 180 BNSS before the police, has not supported the prosecution case. However, statement of the victim recorded under Section 183 BNSS could not be brought on record. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, learned District Court is directed verify the statement of the victim recorded under Section 183 BNSS and if it found that the victim girl has not supported the prosecution case, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Kabaiya P.S. Case No. 325 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is



pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

9. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

