

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91473 of 2025

Arising Out of PS. Case No.-599 Year-2025 Thana- FATEHPUR District- Gaya

Rocky Kumar S/o Suraj Paswan @ Surji Paswan R/o Village - Ghushari, P.S -
Gehlour, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dilip Paswan S/o Walchan Paswan Resident of - Surunga Bigha, P.S -
Fatehpur, District - Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Aryan Singh, learned counsel for the

petitioner and Mr. Lalan Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
11.09.2025 in connection with Fatehpur P.S. Case No. 599 of
2025, F.I.R. dated 17.08.2025 for the offences punishable under
Sections 96, 351(2) and 3(5) of the B.N.S.

3. According to prosecution case, petitioner is alleged
to have enticed her and taken away his daughter with intention
to solemnize marriage with her.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. The allegation as alleged is false and fabricated and the petitioner has not committed any offence as in the F.I.R. In fact, the petitioner was love with the victim and later on the victim girl was recovered and her statement was recorded under section 164 Cr.P.C./183 BNS in which she has not supported the case of the prosecution and she has stated that she has performed the marriage with the petitioner and she is living with the petitioner. The police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 11.09.2025.

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

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent, victim has not supported the prosecution case in her statement recorded u/s 164 Cr.P.C./183 BNSS, 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 learned Chief Judicial Magistrate, Gaya in connection with Fatehpur P.S. Case No. 599 of 2025, with the other following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

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