

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**B.A. No. 3165 of 2026**

Niraj Paswan @ Niraj Kumar, son of Bachchan Paswan  
... .. **Petitioner**  
Versus  
The State of Jharkhand ... .. **Opp. Party**

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**CORAM: HON’BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY**

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| For the Petitioner | : Mr. B. M. Tripathi, Advocate<br>Mr. Naveen Kumar Jaiswal, Advocate |
| For the Opp. Party | : Mr. Shiv Shankar Kumar, Advocate                                   |
| For the Informant  | : Mr. Pankaj Kumar Dubey, Advocate                                   |

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**03/6<sup>th</sup> May 2026**

1. Learned counsel for the petitioner submits that the petitioner is in custody since 18.12.2025 in connection with Manika P.S. Case No. 117/2025 for the offence registered under Section 96 of BNS, now said to have been pending in the court of learned A.C.J.M., Latehar.
2. The counter-affidavit, filed during the course of hearing, is taken on record.
3. Learned senior counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case and it is alleged that the petitioner had taken away the daughter of the informant. He has further submitted that the charge-sheet has been submitted only under Section 96 of BNS, but charge has not been framed so far.
4. The learned senior counsel has referred to the statement of the victim recorded under Section 183 of BNSS, which has been received from the concerned court and has submitted that the victim had herself gone with the petitioner. He has further referred to the medical examination report of the victim and has submitted that, as per the said report, the age of the victim was assessed to be between 15 and 16 years, and no signs of sexual activity were found. Learned counsel has also submitted that there is always a margin of error of about 1 to 2 years in

age determination, and therefore, it may be taken that the victim was around 18 years of age.

5. The learned counsel for the opposite party and the learned counsel for the informant have opposed the prayer and submitted that as per the birth certificate of the victim, she was 13 years of age. The learned counsels have also submitted that the victim in her statement recorded under Section 183 of BNSS has also alleged that the petitioner had established physical relationship with her and she was kept in a hotel. He has further submitted that the petitioner has two criminal antecedents.

6. To this, the learned senior counsel for the petitioner has referred to the supplementary affidavit and has submitted that in one of the cases, the petitioner has been acquitted.

7. After hearing the learned counsel for the parties and from perusal of the statement of the victim recorded under Section 183 of BNSS, this Court finds that the victim has alleged that she had gone with the petitioner and then stayed in a hotel at Ranchi and then in Jalandhar and that in Ranchi, the petitioner had established physical relationship with her.

8. In view of the aforesaid facts and circumstances and considering the allegations levelled against the petitioner, this Court is not inclined to enlarge the petitioner on bail. Hence, this bail application is rejected.

9. Let a copy of this order be communicated to the court concerned through 'e-mail/FAX'.

**(Anubha Rawat Choudhary, J.)**

*Dated: 06.05.2026*

*Uploaded On: 09.05.2026*

*Mukul/-*