

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4845 of 2015

Arising Out of PS.Case No. -148 Year- 2014 Thana -NAGARNAUSA District- NALANDA
(BIHARSHARIFF)

=====

Mahendra Paswan Son of Baleshwar Paswan Resident of vill-Paoddariya
Bigha,P.S-Nagarnausa,Distt.-Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 21-05-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offence punishable under Section-366(A)/34 of the Indian Penal Code and the fact that the victim girl, Mantu Kumari on her recovery, in her statement under Section-164 of the Code of Criminal Procedure, has admitted that she on her own will had gone along with Naradmuni Paswan to Gujarat and had got married to him on 3rd October, 2014 and that she wanted to still live with the family members of her sasural, this Court would find that the petitioner would be entitled for the privilege of anticipatory bail specially when he has also got no criminal antecedent.



That being so, the petitioner namely, **Mahendra Paswan**, is directed to 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 **Additional Chief Judicial Magistrate, Hilsa (Nalanda)** in connection with **Nagarnausa P.S. Case No. 148 of 2014**, subject to the following conditions:-

(i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(iii) That the bailors shall also state on

affidavit that they will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(v) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Ranjan/-

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