

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56195 of 2015

Arising Out of PS.Case No. -233 Year- 2012 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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Baleshwar Paswan, S/o Late Lakhan Paswan, Resident of Village- Rajwan,
P.S.- Bangra Distt- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 15-12-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Muffasil
P.S. Case No.233 of 2012 registered under Sections 366(A)/34 of
the Indian Penal Code.

The prosecution case is that all the accused persons,
named in the F.I.R., including the petitioner kidnapped Radha
Kumari, the daughter of the informant, with an intention to
perform the marriage.

Learned counsel appearing on behalf of the petitioner
submits that in course of investigation, the statement of the victim
Radha Kumari under Section 164 of the Code of Criminal

Procedure was recorded in which she has specifically stated that the co-accused, Surendra Paswan, took her away to Delhi where he and the co-accused, Bodha and Laxman committed rape on her. She has only stated against this petitioner that he also helped the other accused in her kidnapping without attributing any overt act to him. It is further submitted that the petitioner has no criminal antecedent and is in custody since 26.09.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Samastipur, in connection with Muffasil P.S. Case No.233 of 2012.

(Rajendra Kumar Mishra, J)

P.S./-

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