

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8850 of 2016

Arising Out of PS.Case No. -227 Year- 2015 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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FARINDAR PASWAN @ FARINDRA, Son of Buddhu Paswan, Resident
of village - Majhariya Kisun, P.S. Jagdishpur, District - West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Shakir Ahmad (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-05-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends arrest in connection with
Nautan (Jagdishpur) P.S. Case No. 227/15 for offences alleged
under Sections 363, 366-A of the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that in course of search of her missing daughter it came to light
that co-accused Ranjeet Kumar along with three persons has
abducted her daughter either with intent to marry her or to sell her.

It has been submitted by the learned counsel for
the petitioner that he is not named in the First Information Report,
has no criminal antecedent and his name surfaced on the statement
of the victim girl under Section 164 Cr.P.C. He further submits
that there is contradiction in the prosecution version and the



statement of the victim, as the informant has not named the petitioner and the victim girl under her statement under Section 161 Cr.P.C. has not named the petitioner and an affidavit to the said effect has been filed by the victim wherein she states that the petitioner was not concerned with the aforesaid affairs and even her statement under Section 164 Cr.P.C., on the one hand, states that she was sold by the petitioner, but later on said that the petitioner brought her to the police station. He submits that the alleged date of occurrence is 23.06.2015, First Information Report has been lodged on 27.06.2015 after inordinate delay and was sent to the court on 01.07.2015.

However, learned APP for the State submits that although the petitioner is not named in the First Information Report, but subsequently the victim girl has named the petitioner, hence, opposes the prayer for bail.

Be that as it may, since there is contradiction in the statement of the victim girl, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 learned Addl. Chief Judicial Magistrate-VI, West Champaran at Bettiah, in

connection with Nautan (Jagdishpur) P.S. Case No. 227/15,
subject to the conditions as laid down under Section 438(2)
Cr.P.C.

(Nilu Agrawal, J.)

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