

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32977 of 2016

Arising Out of PS.Case No. -40 Year- 2016 Thana -KAKO District- JEHANABAD

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1. Pintu Paswan, Son of Late Barhan Paswan, resident of Village Bijaypura, Police Station- Dhanarua, in the District of Patna.
 2. Vicky Paswan, son of Sri Nagina Paswan, resident of Village Manora Alawalpur, Police Station- Punpun in the district of Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 26-09-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a case registered for the offences punishable under Sections 366-A,34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the main allegation is against the one Deepak Kumar and not against these petitioners. It is submitted that only, subsequently, in the statement made before the Magistrate under Section 164 Cr. P.C., the victim girl has stated that she was taken away by Deepak Kumar and subsequently, Pintu Paswan had taken her to Muzaffarpur. Thereafter, Vicky Paswan took her and left her at the Punpun

railway station. It is submitted that the petitioners were not sent up for trial on submission of charge-sheet, but subsequently, the learned Magistrate on differing with the police report, has taken cognizance and, as such, the petitioners are apprehending their arrest.

Having heard learned counsel for the parties and taking into consideration the role played by these two petitioners that it was the Deepak Kumar who had, in fact, lured the victim girl at her grand mother's home and that the name of these petitioners, subsequently, surfaced and that these petitioners have no criminal antecedent, let the petitioners abovenamed, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Jehanabad in connection with Kako P.S. Case No. 40/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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