

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22015 of 2016

Arising Out of PS.Case No. -190 Year- 2013 Thana -VAISHALI District- VAISHALI(HAJIPUR)

1. Lakhindra Paswan Son of Late Dahaur Paswan resident of village -
Dharampur, P.S. Vaishali, District - Vaishali Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. D.P.Yadav(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 23-05-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Vaishali P.S.
Case No. 190 of 2013 registered for the offences punishable under
Sections 366, 366A/34 of the Indian Penal Code.

Allegedly, the petitioner and other accused kidnapped the
victim daughter of the informant and after recovery the victim in
her statement recorded under Section 164 Cr.P.C. has stated that
Suresh Paswan who was working in her house as driver kidnapped
her with the help of Sunil Paswan and the petitioner. She further
alleged that Suresh Paswan confined her in a room and committed
rape with her but she has not stated any specific allegation against
the petitioner.

Submission is of false implication and that similarly
situated co-accused Sunil Paswan has already been allowed bail

vide Cr. Misc. No. 39452 of 2015 by another co-ordinate Bench of this Court and the petitioner is suffering in custody since 31.03.2016 having no criminal antecedent to which learned APP does not dispute.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 190 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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