

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27819 of 2016

Arising Out of PS.Case No. -563 Year- 2015 Thana -DARBHANGA SADAR District-
DARBHANGA

=====

Chandreshwar Paswan, S/o Sutta Paswan, resident of Village- Andhri, P.S
Sadar Bhalpatti O.P., District- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-12-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Sadar P.S. Case No.563 of 2015 for allegedly
having committed the offence under Sections 363 and
366A/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
though there is an allegation against the petitioner of having
kidnapped the minor girl, yet the victim in her statement made
under Section 164 Cr.P.C. has not alleged any sexual act
against the petitioner. The girl has further stated that she left
her house on her sweet-will and had not been induced.
Learned counsel submitted that at best a case under Section



363 I.P.C. can be made out and not under Section 366A I.P.C., as has been alleged.

Considering the nature of allegations made and the statement of the victim under Section 164 Cr.P.C., let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, in connection with Sadar P.S. Case No.563 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

PNM

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

