

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13629 of 2016

Arising Out of PS.Case No. -147 Year- 2015 Thana -PIPRA District- SUPAUL

=====

1. Ashok Paswan Son of Khushi Lal Paswan, resident of village- Kala Govindpur, P.S.- Bhimpur, District- Supaul Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner : Mr. Arun, Adv.

For the Opposite Party : Mr. Ram Sumiran Rai, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

7 23-03-2017 Heard the learned counsel for the petitioner and the State.

This is a petition for grant of anticipatory bail for offence under Section 366A/34 of the Indian Penal Code.

According to first information report, co-villagers, Md. Saddam, Rajiv Kumar and Ashok Pandit, are suspected to have induced Arti Kumari, the daughter of the informant, to go with them with intent to marry with her.

The victim-girl in her statement under Section 164 of the Criminal Procedure Code stated that one Ramesh had called her. When she reached there, Ramesh and Ashok Pandit took her to different places. They established physical relation and subsequently left her on the road side. She, further, stated that Ramesh is devar of her sister. He had promised to marry. She should be married with him and Ashok Pandit should be punished.

Submission of the petitioner is that petitioner, Ashok Paswan, is not the same person, as referred in the first information report or statement of the victim-girl



because the petitioner is resident of altogether different village and is not a co-villager of the informant. He is Paswan by caste and not Pandit.

The Circle Officer, Chatapur, Supaul, was asked to enquiry and submit a report.

The report, dated 27.02.2017, is at flag 'B', reveals that Ashok Paswan is son of Khushilal Paswan and is resident of village Kalagovindpur. It is further disclosed that Ashok Paswan resides in Punjab to earn his livelihood.

Considering the entire facts, aforesaid, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Pipra P.S. Case No. 147 of 2015** to the satisfaction of **Sri Jitendra Kumar, Judicial Magistrate, 1st Class, Supaul**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

SA/-

U	√	T	√
---	---	---	---

