

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55320 of 2017

Arising Out of PS. Case No.-95 Year-2017 Thana- SIKTI District- Araria

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Dilip Paswan, son of Moti Paswan, Resident of Village-Kuan Pokhar, P.S.-
Sikti, District-Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Jha, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 16-11-2017 Heard Sri Rakesh Kumar Jha, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 01.06.2017 in
Sikti P.S. Case No.95/2017 registered for the offence under
Sections 363 and 366(A) of the Indian Penal Code, has prayed
for grant of bail.

Primarily, by way of referring to the F.I.R, certified copy of
the same has been brought on record as Annexure-1 to the
petition, learned counsel for the petitioner submits that the name
of the petitioner was subsequently inserted in the F.I.R.,
otherwise in the F.I.R., the informant, who is father of the victim
girl, has not disclosed against the petitioner. In the F.I.R. it was
disclosed that from last two days phone calls were coming and
on verification it was found that said Mobile was of son of the



petitioner, namely, Gopi Paswan. The informant disclosed that his daughter had disappeared from 16.04.2017 and he shown apprehension in the F.I.R. that her daughter might had been kidnapped by Gopi Paswan(son of the petitioner).He submits that in the entire F.I.R., initially allegation was made against son of the petitioner, but subsequently by different pen, name of the petitioner was added in the F.I.R.. It has been argued that the daughter of the informant had voluntarily fled with son of the petitioner and remained with his son for several months. He submits that after lodging F.I.R. a search was shown to be conducted and daughter of the informant was shown recovered and on pressure her statement under Section 164 of the Code of Criminal Procedure was got recorded, in which she has given a different picture that entire family members were involved in the case. Even grand-father of the main accused, namely, Gopi Paswan was made accused in the present case.

I have perused the F.I.R. and on going through the same, the Court is of the opinion that such fact is sufficient for the purpose of extending the privilege of bail in favour of the petitioner. Accordingly, let the petitioner, namely, Dilip Paswan 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 Chief Judicial Magistrate, Araria in
connection with Sikti P.S. Case No.95 of 2017.

(Rakesh Kumar, J)

nawalkrs/-

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