

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19011 of 2017

Arising Out of PS.Case No. -113 Year- 2016 Thana -MAHILA P.S. District- MUZAFFARPUR

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Ajay Paswan, Son of Hari Darshan Paswan, Resident of Village-Dadar
Kolhua. P.S.-Ahiyapur, District-Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bela Singh, Advocate

For the Opposite Party : Mr. Mritunjay Kumar Nirala (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-06-2017 Heard learned counsel for the petitioner, learned

counsel for the informant and learned counsel representing the

State.

The petitioner apprehends his arrest in connection
with Muzaffarpur Mahila P.S. Case No. 113 of 2016, registered
for the offences punishable under Sections 367, 420/34 of the
Indian Penal Code.

Allegedly, after the death of Vijay Paswan the
husband of the informant, the petitioner being younger brother of
Vijay Pawan and other family members started pressurizing her to
marry with Ajay Paswan and for that the informant was not ready
but considering the pressure she became ready and then one
motorcycle was demanded and the father of the informant gave
Rs. 50,000/- for purchasing motorcycle to the petitioner and then
both started living together as husband and wife and later on the



petitioner and others refused to marry with her and tried to burn her, earlier complaint was lodged before *Surpunch* who after making inquiry tried his best to convince the petitioner, but in vain and then *Surpunch* directed the informant to approach the competent authority.

Submission is of false implication and that other co-accused have been allowed pre-arrest bail. The petitioner has been made victim of the circumstances, he has been implicated only with a view to put pressure, the petitioner was never ready to marry with the informant, he has not taken any amount to purchase motorcycle and *Surpunch* being in collusion has submitted his report and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that the petitioner has developed physical relationship for three years with the informant, he took amount of Rs. 50,000/- to purchase motorcycle from the father of the informant and thereafter he is not ready to marry with her.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with



Muzaffarpur Mahila P.S. Case No. 113 of 2016, pending in the
Court of learned Additional Chief Judicial Magistrate-cum-Sub-
Judge, 7th Muzaffarpur,

(Jitendra Mohan Sharma, J.)

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