

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34987 of 2017

Arising Out of PS.Case No. -286 Year- 2016 Thana -BARAUNI District- BEGUSARAI

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Shashi Bhushan Paswan Son of Late Sita Ram Paswan, R/o Village- Bihat.
Tola, Khairaji, P.S.- Barauni, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 31-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
05.04.2017 in connection with Barauni P.S. Case No. 286 of 2016
for offences punishable under Sections 366 (A), 386 and 34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his minor daughter had gone to school but did not return and it
is alleged that the petitioner along with five other co-accused have
kidnapped his daughter. The cause of dispute is that earlier the
petitioner and co-accused Ajit Paswan had demanded Rs. 100000/-
from the informant which he was unable to give hence his
daughter has been kidnapped either for selling or killing.



It has been submitted by the learned counsel for the petitioner that he is innocent and no overt act has been committed by him. He submits that the informant's daughter was having love affair with Chano Paswan @ Chandra Bhushan Paswan and she has eloped with him and all the full brothers of the petitioner have been made accused in the present case. He submits that charge-sheet has already been submitted and there is no chance of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the victim girl has not yet been recovered.

Considering the facts and circumstances and the materials on record and that the main allegation is upon Chano Paswan @ Chandra Bhushan Paswan, let petitioner, above named, be enlarged 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, Begusarai in connection with Barauni P.S. Case No.286 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that



petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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