

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36344 of 2017

Arising Out of PS.Case No. -197 Year- 2016 Thana -KURSAKANTA District- ARRARIA

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Santosh Paswan son of Harihar Paswan resident of village Bishanpur, Police
Station Kursakta, District Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar, Advocate

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 10-08-2017

Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner, in the present case, is seeking
regular bail in connection with Kursakata P.S. Case No.
197 of 2016 registered for the offence punishable under
Sections 366 "A"/34 of the Indian Penal Code.

Learned counsel for the petitioner submits
that a perusal of the First Information Report (in short the
"FIR") would show that the First Information Report was
lodged by one Dilip Paswan alleging that his 15 years old
daughter Tulsi Kumari was kidnapped by the four accused
persons named in the FIR for the purpose of marriage.
This petitioner is named in the FIR but when the girl was
recovered and made her statement under Section 164



Cr.P.C. she has named a number of persons involved in her kidnapping but not this petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated and the girl having been recovered has not named this petitioner.

Learned Additional Public Prosecutor for the State opposes the prayer of bail of the petitioner.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria, in connection with Kursakata P.S. Case No. 197 of 2016, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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