

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20726 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -BATHNAHA District- SITAMARHI

- =====
1. Mahesh Paswan Son of Rucha Paswan.
 2. Kaushliya Devi Wife of Mahesh Paswan.
 3. Pappu Paswan Son of Mahesh Paswan. All Resident of Village- Hari Bela, Police Station- Bathnaha, District- Sitamarhi.
 4. Kapaldeo Paswan Son of Satya Narayan Paswan, Resident of Village- Bishunpur, Police Station- Kanhauli, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 06-07-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bathnaha Police Station Case No. 6 of 2017, disclosing offences under Sections 363A, 364 and 366A of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against the petitioners and no specific overt act is attributed to them. In fact, the occurrence took place on 09.10.2016 and the complaint filed on 13.12.2016 after lapse of three months without explaining the



plausible delay, which itself creates doubt on the prosecution version. These petitioners, who happens to be the relative of co-accused Panchu Paswan, have not played any role in the alleged occurrence rather the witnesses before the police have stated that one Panchu Paswan have abducted the daughter of the victim. Hence, the petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st A.D.J.-cum- Special Judge, Sitamarhi, in connection with Bathnaha Police Station Case No. 6 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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