

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18216 of 2017

Arising Out of PS.Case No. -325 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Achhay Lal Paswan @ Achhelal Paswan Son of Harikishun Paswan,
resident of village - Kataha Loknathpur, P.S. Muffasil, District - East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Ramchandra Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 16-05-2017 Heard both sides.

The petitioner apprehends his arrest in Mufasil
P. S. Case No. 325 of 2016 registered for the offences under
Sections 366A and 206 of the Indian Penal Code.

The informant who is the father of the victim
alleged that Jitendra Paswan kidnapped his minor daughter aged
about 13 years for the purpose of marriage from his house. The
informant further alleged that Mushar Paswan, Sheikh Nasim,
Rajan Paswan and Achhay Lal Paswan (the petitioner) are also
involved in kidnapping of his daughter.

Learned counsel for the petitioner submits that the
occurrence took place on 25.08.2016, but F.I.R. was lodged on
28.08.2016. The victim girl was recovered on the same day and



she made her statement under Section 164 of the Code of Criminal Procedure on 30.08.2016 and she disclosed that while she was cutting grass, the accused persons forcibly took her in maze field. It is submitted that the victim is a major girl. The court assessed the age of the victim girl between 17 to 18 years. The victim herself disclosed her age to be 30 years. It appears that the victim has love affairs with Jitendra Paswan and she made her statement under Section 164 of the Code of Criminal Procedure after four days of the occurrence.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Chief Judicial Magistrate, East Champaran at Motihari in Mufasil P. S. Case No. 325 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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