

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33714 of 2018

Arising Out of PS. Case No.-420 Year-2017 Thana- MOTIHARI MUFASIL District- East
Champaran

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Ravi Paswan, Son of Balister Paswan, Resident of Village- Tikuliya, P.S.-
Motihari Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 23-07-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Motihari Muffasil P.S. Case No. 420 of 2017, registered for the
offence punishable under Sections 366(A)/34 of the Indian
Penal Code.

The allegation in the present case is regarding the
petitioner herein and one Balister Paswan having kidnapped the
minor daughter of the informant and thereafter, the petitioner
herein is said to have raped the victim girl.

The learned counsel for the petitioner submits that the
present case is a case of love affair and moreover, the medical
evidence suggests that her age is between 16 ½ to 17 ½ years
and the benefit of doubt should be given to the petitioner. It is



further submitted that the petitioner is having a clean antecedent and he is languishing in custody since 28.04.2018. Lastly, it is submitted that a compromise has taken place between the parties, hence, there is no impediment in granting bail to the petitioner.

I have heard the learned counsel for the petitioner and perused the records and I find that the petitioner can be enlarged on bail subject to verification of the authenticity of the compromise petition between the parties by the learned court below.

In such view of the matter, it is directed that the learned court below shall examine the informant and the victim girl and make an inquiry as to whether a compromise has voluntarily taken place in between the parties. In case, it is found that the matter has been settled voluntarily, the concerned court shall release the petitioner on regular bail subject to such conditions as may be imposed by the learned C.J.M., East Champaran at Motihari in connection with Motihari Muffasil P.S. Case No. 420 of 2017.

The present petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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