

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48246 of 2018

Arising Out of PS. Case No.-9 Year-2017 Thana- TARIYANI CHAPRA PS District- Sheohar

Sunil Paswan, Son of Raghunath Paswan, Resident of Village- Tajpur, P.S.-
Tariyani Chhapra, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur
For the Opposite Party/s : Mr. Sri Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with **Tariyani Chhapra P.S. Case No. 9 of 2017** registered for the offence punishable under Sections 363, 366A/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the daughter of the Informant along with other co-accused persons named in the FIR.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. The girl in her statement under Section 164 of the Cr.P.C has stated that she was having love affair with Ram Janam Paswan since two years and she had gone to Delhi with him on her own



volition and sweet will. The girl has not levelled any allegation against the petitioner in her statement under Section 164 of the Cr.P.C. Similarly, situated co-accused person has been granted anticipatory bail by a co-ordinate bench of this Court vide order dated 28.06.2018 in Criminal Miscellaneous No. 36363 of 2018. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, Sheohar** in connection with **Tariyani Chhapra P.S. Case No. 9 of 2017**, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will



be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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