

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62111 of 2017

Arising Out of PS.Case No. -140 Year- 2017 Thana -RIGA District- SITAMARHI

Avinash Paswan S/o Sanjay Paswan , R/o Village- Muhchati , P.S.- Dumra , District- Sitamarhi (Wrongly Mention in the F.I.R. as Village Ashogi, P.S.- Riga, District- Sitamarhi. Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

4 17-02-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Riga PS Case No. 140 of 2017 registered under Sections 376, 34 of the IPC and Sections 4/6 of the POCSO Act.

The allegation in brief is that the informant's daughter was taken away to the house of one Ram Sanahi Paswan where his son and other two accused persons, including the petitioner, are said to have committed rape.

Learned Counsel for the petitioner submits that in fact the informant's daughter was having love affair with Sanjiv Paswan, son of Ram Sanehi Paswan, and after institution of this case she eloped with him and solemnised marriage for which a separate case was registered and in that case the girl has stated that false case was lodged by her father and she herself had eloped with Sanjiv Paswan.

Having considered the said facts and circumstances, the petitioner, namely, Avinash Paswan is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge Ist –cum- Special Judge (POCSO Act) Sitamarhi in connection with Riga PS Case No. 140 of 2017.

(Arun Kumar, J.)

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