

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45371 of 2017

Arising Out of PS.Case No. -61 Year- 2016 Thana -PARSA District- SARAN

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Munna Paswan, son of Sheokumar Paswan, Resident of Village- Lahladpur,
P.S.- Lalganj, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

9 18-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Parsa P.S. Case No. 61 of 2016** instituted for the offence under Section 363 and Section 34 of the Indian Penal Code.

The informant has raised suspicion in the written report that his cousin sister namely, Khusboo Kumari was kidnapped by this petitioner along with his brother Sandesh Paswan.

The victim girl has given statement under Section 164 Cr. P.C. which has been enclosed as Annexure-2 wherein she has stated that she has performed court marriage with this petitioner. It is alleged that after performing court marriage, petitioner committed rape for one month and told that he will sell her in Orchestra. Thereafter, she fled away and went to the house of her aunt (phua).

In this manner, from the statement of the victim girl, it



appears that she was living with Munna Kumar (petitioner) after performing court marriage with him.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Parsa P.S. Case No. 61 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-XIII, Saran at Chapra**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if 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.

(Sanjay Priya, J)

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