

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6339 of 2018

Arising Out of PS. Case No.-606 Year-2017 Thana- BIHARSHARIF District- Nalanda

1. SATISH KUMAR @ SATISH PASWAN
2. Nitish Kumar alias Nitish Paswan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. SRI SANJAY KUMAR PANDEY

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2018 At the outset, learned counsel for the petitioner seeks permission to withdraw this application so far as it relates to petitioner no. 1.

Hence, this application with regard to petitioner no. 1 above named, is permitted to be withdrawn.

Heard learned counsels for the parties.

The petitioner no.2 is apprehending arrest in a case registered for the offences punishable under sections 365/34 and 120B of the IPC.

The prosecution case as per the written report of Horil Paswan dated 31.10.2017 is to the effect that his son Bhriugu Kumar was staying at Biharsharif and used to reside in the Railway Colony. On 30.1.2017 at 8.30 A.M. co-villager Heera Paswan and Chunnu Kumar came and conveyed that the



petitioners and the uncle of petitioner no. 2 have abducted the son of the informant for getting him married with the daughter of Satyendra Paswan. The son of the informant, namely, Bhritu Paswan was recovered from the house of Satyendra Paswan.

It is submitted by learned counsel for the petitioners that the in the background of dispute with regard to marriage negotiations between Satyendra Paswan's daughter and son of the informant, the present case has been lodged since petitioner no. 2 happens to be the relative of Satyendra Paswan. Though the victim has named the petitioners in 164 Cr.P.C. statement, but in fact, Bhritu Paswan's marriage was performed with the daughter of late Satyendra Paswan's daughter and due to non-fulfillment of dowry demand, the accusation has been levelled.

Learned APP submits that the victim has named the petitioner no. 2 in 164 Cr.P.C. statement.

Considering the nature of accusation and the fact that the victim was recovered from the house of Satyendra Paswan the very next day, coupled with the statement made in paragraph 3 of the petition that the petitioner no. 2 is not having any criminal antecedent, let the petitioner no. 2 above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of the learned CJM, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 606 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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