

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24089 of 2018

Arising out of PS.Case No. -588 Year- 2017 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Sunil Paswan, son of Bagar Paswan, resident of Village- Ahirauliya, P.S.-
Kotwa, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Mufassil P.S. Case No. 588 of 2017 for the offences punishable
under Sections 363, 366A and 34 of the Indian Penal Code.

The allegation is regarding the petitioner having lured
the sister of the informant, who happens to be the wife of the
petitioner herein on the pretext of purchasing clothes for her and
thereafter it is alleged that he had taken her to Kerala and drugged
her.

The learned counsel for the petitioner submits that the
learned Magistrate, at the time of recording of the statement of the
victim girl under Section 164 Cr.P.C. has recorded the age of the



victim girl as 18 years, hence the victim girl and the petitioner being consenting parties, the present case would not fall under the category under which the offences have been alleged against the petitioner herein. It is further submitted that the victim girl if at all was aggrieved, she could have raised alarm at any moment of time but she had consented to all the deed of the petitioner herein. Lastly, it is submitted that the petitioner is having a clean antecedent and is languishing in custody since 04.12.2017.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Mufassil P.S. Case No. 588 of 2017.

(Mohit Kumar Shah, J)

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