

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53640 of 2018

Arising Out of PS.Case No. -301 Year- 2017 Thana -BAJPATTI District- SITAMARHI

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Sanjay Paswan, Son of Kanhaiya Paswan @ Kanhaie Paswan
Resident of Village- Bhagwanpur Harpur, P.S. Bajpatti, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-10-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Sessions Trial No. 173 of 2018 arising out of Bajpatti P.S. Case No. 301 of 2017 instituted for the offence under Sections 363 and 366(A) of Indian Penal Code.

Counsel for the petitioner submits that petitioner is in custody in the instant case since 13.04.2018. Counsel for the petitioner further submits that victim girl and petitioner were known to each other and they have performed marriage.

On account of dispute between family members of both the parties, several cases have been filed against the petitioner. The victim girl has given statement under Section 164 Cr. P.C. in one of the case (GR No. 616 of 2016) which has been



enclosed as Annexure-4 wherein she has stated that she performed marriage with the petitioner and she is living with him as husband and wife. Physical relationship has also been established between them for last one year.

In the instant case the victim girl has given her statement under Section 164 Cr. P.C. which has been enclosed as Annexure-2 wherein she has stated that she was married with the petitioner in the year 2016. She lived with the petitioner in her *sasural* for seven years. She has stated her age as 20 years and court has assessed her age to be 19 years.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Sitamarhi, in connection with Sessions Trial No. 173 of 2018 arising out of Bajpatti P.S. Case No. 301 of 2017, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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