

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5885 of 2018

Arising Out of PS.Case No. -121 Year- 2017 Thana -NANPUR District- SITAMARHI

=====

Sanjit Paswan @ Sanjit Kumar, S/o Chalitra Paswan, R/o Village- Nanpur,
P.S.- Nanpur, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-02-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 19.09.2017 in connection with Nanpur P.S. Case No.121 of 2017 registered for the offence under Sections 363, 366, 385, 372, 120B and 379/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that though there is an allegation against the petitioner that he had kidnapped the lady for the purposes of immoral traffic, the fact is that the girl and the petitioner were in illicit relationship and when she ran away and came to the petitioner, he did not entertain her presence in his house and thereafter she had gone back and gave statement under Section 164 Cr.P.C., alleging



that the petitioner had kidnapped her and indulged in immoral acts also.

Learned counsel for the State, after perusal of the case diary, resisted the application and submits that there are sufficient materials against the petitioner.

However, in the case diary it has also come that there is an illicit relationship between the parties and, therefore, it raises a doubt in the prosecution case and places it under a cloud.

Considering the fact that the petitioner is in custody for five months, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Pupri at Sitamarhi, in connection with Nanpur P.S. Case No.121 of 2017, subject to the following conditions:

(1) One of the bailors will be his blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his



failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

PNM

U		T	
---	--	---	--

