

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58642 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- KAJRAILICHAK District- Bhagalpur

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1. Ram Paswan @ Ram Prasad Paswan, S/o Late Masudi Paswan,
 2. Tara Devi W/o Ram Paswan @ Ram Prasad Paswan,
 3. Pugli Devi D/o Ram Paswan @ Ram Prasad Paswan,
 4. Ajay Paswan S/o Ram Paswan @ Ram Prasad Paswan, All are
R/o Vill.- Hariharpur, P.S.- Kajraili, District- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

5 17-12-2018 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kajraili P.S. Case no. 20 of 2018, registered under Sections 363, 366 A, 504 and 506 of the Indian Penal Code.

Petitioners along with Suraj Kumar are said to have kidnapped the minor daughter of the informant for the purpose of marriage and the victim is still traceless.

Learned counsel for the petitioners submitted that no such occurrence as alleged ever took place. Petitioners are



quite innocent and have been falsely implicated in this case. The son of the petitioner, namely, Suraj Kumar has been kidnapped by the informant, the husband of the informant, her brother-in-law and his associate for which the mother of the victim, namely, Tara Devi filed Complaint Case No. 153 of 2018 in the court of Chief Judicial Magistrate, Bhagalpur on 05.02.2018 and after filing the aforesaid complaint petition the informant has filed this false and frivolous case on 16.03.2018. It is further submitted that the occurrence is of 29.01.2018 but the present case has been lodged after an inordinate delay on 16.03.2018 and no convincing and plausible reason has been assigned for the said delay. This case has been filed by the informant in order to save his skin from the Complaint Case No.153 of 2018 filed by the petitioners. No independent witness of the case has supported the occurrence barring the accused persons of the said complaint case filed by the petitioner who happens to be father and uncle of the victim.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties



of the like amount each to the satisfaction of the learned
A.C.J.M.-XIV- Bhagalpur in connection with Kajraili P.S. Case
No. 20 of 2018, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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