

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42511 of 2018

Arising Out of PS.Case No. -42 Year- 2018 Thana -BARIYARPUR District- MUNGER

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Rahul Paswan son of Jawahar Paswan Resident of Mohalla - Alinagar, P.S.
Suryagarha, District - Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 19.04.2018 in connection with Bariyarpur P.S. Case No. 42 of 2018 for the offence registered under Sections 366(A)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the victim girl had made a statement under Section 164 Cr.P.C. that she was threatened by the petitioner with dire consequence and that earlier the petitioner had kidnapped her and got married, the petitioner is, in fact, innocent and it was a case of love affairs between the petitioner and the said victim girl as on 09.03.2018 they went together and performed marriage in a Temple at



Lakhisarai. It is further submitted that the marriage was not forcibly solemnized but subsequently her sister made objection, which led to the lodging of the present case on 18.04.2018 alleging that while the victim girl was on the way, the petitioner had kidnapped her.

Considering the nature of allegation made against the petitioner and that the earlier event of 09.03.2018 had not been reported to the police and also the fact that the petitioner has no criminal antecedent, 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 Chief Judicial Magistrate, Munger in connection with Bariyarpur P.S. Case No. 42 of 2018, subject to the following conditions :-

(1) One of the bailors will be his father.

(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)

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