

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75178 of 2018

Arising Out of PS. Case No.-96 Year-2016 Thana- RAJAON District- Banka

Sanjay Paswan, Son of Late Chunchun Paswan, Resident of Village-
Kamdeopur, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Malendu

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Rajoun P.S. Case No.96/2016 registered for the offence punishable under Sections 366 (A) and 34 of the Indian Penal Code.

Allegation of kidnapping has been made against the co-accused, Madan Paswan. However, the girl has recorded her statement under Section 164 Cr.P.C. wherein she has stated that she had gone with the Madan Paswan out of her own volition.

It has been submitted that petitioner is not named in the F.I.R. and his name has surfaced in this case on the statement made by the informant girl under Section 164 Cr.P.C. wherein she has stated that the petitioner had come to her house for taking Adhar Card and ID card from her family. It has further been submitted that the main accused with whom the



victim girl had gone has already been granted bail by this Court, as contained in Annexure 3. Petitioner has no criminal antecedent and he is in custody since 16.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No.96/2016, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers



with the evidence or the witnesses of the
case, in that case, prosecution will be at
liberty to move for cancellation of bail of
the petitioner.

(S. Kumar, J)

Sanjay/-

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