

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3201 of 2019

Arising Out of P.S. Case No.-306 Year-2018 Thana- BAIRIYA District- West Champaran

Chandan Paswan aged about 20 years, Gender-Male, son of Ravindra Paswan
Resident of Village - Sirisiya, Police Station - Chanpatiya (Sirisiya), District -
West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Shanker Prasad, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-01-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
31.08.2018 in connection with Bairiya P.S.Case No.306 of 2018
for the offence alleged under Sections 363, 366(A) and 34 of the
Indian Penal Code.

The prosecution case as lodged by the informant is
that his 16 year old daughter who was living with maternal
uncle since last six months has been kidnapped by the petitioner
and three other co-accused.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and
has been falsely implicated in the aforesaid case. He further



submits that the victim girl in her statement under Section 164 of the Cr.P.C. has herself stated that she had gone to her friends place on her own sweet will and no one has kidnapped her. The informant has also filed a petition before the Additional Chief Judicial Magistrate-VIII, Bettiah, West Champaran that due to misconception, a case has been lodged against the petitioner and other accused. It is further submitted that two of the co-accused have already been granted the privilege of bail on similar allegations by a coordinate Bench of this Court in Cr.Misc.No.71792 of 2018 dated 07.12.2018. He further submits that chargesheet has already been submitted and there is no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and that similarly situated co-accused have been granted the privilege of bail, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Bairiya P.S.Case No.306 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bettiah, West Champaran, subject to the



condition:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

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