

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29593 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- MAHILA P.S. District- Nalanda

RAJA RAM PASWAN Son of Late Ramswarup Paswean Resident of Village
- Bhadwa, P.S.- Rahui, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhinay Raj

For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-10-2019

This application, for grant of anticipatory bail, arises out of Mahila P.S. Case No. 23 of 2019, disclosing offences under Sections 376, 323, 504, 506 and 420 of the Indian Penal Code.

Allegation against the petitioner is that on the pretext of providing employment, petitioner established physical relationship with the informant and also taken three lakhs from her on different dates, thereafter, she became pregnant and gave birth to a male child.

Submission of learned counsel for the petitioner is that entire allegation is false and concocted and informant is a married lady and earlier the informant has given threatening to the petitioner to implicate in false case and the petitioner has also informed the police about the said threatening. Thereafter,



this present false case has been lodged .

Heard learned A.P.P. and learned counsel for the informant, they have opposed the prayer for anticipatory bail of the petitioner.

It appears that earlier vide order dated 06.05.2019, a coordinate Bench of this Court has directed for the DNA test of petitioner as well as the child of the victim lady, who is alleged to be born on account of sexual relationship with the petitioner and the petitioner and the informant along with her child was directed to appear before the Civil Surgeon, Nalanda, Bihar Sharif for necessary action, who in turn, was directed to make arrangement for D.N.A. Test and to submit a report to this court in a sealed cover.

The said D.N.A. test report has been received, which is kept at flag - "D" in which, it has been mentioned that "On the basis of observation, it is concluded that the alleged father Raja Ram Paswan found excluded as Biological father of Dil Raj.

In such view of the matter, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty



five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Nalanda, Bihar Sharif, in connection with Mahila P.S. Case No. 23 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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