

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35287 of 2019

Arising Out of PS. Case No.-859 Year-2018 Thana- KHAGARIA District- Khagaria

1. Krishnadeo Paswan Son of Late Sahdeo Paswan Resident of Village - Sahsi ,
P.S.- Alauli, Distt - Khagaria.
2. Deepak Paswan Son of Krishnadeo Paswan Resident of Village - Sahsi ,
P.S.- Alauli, Distt - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for anticipatory bail apprehending their arrest in connection with Khagaria (Gangaur) P.S. Case No. 859 of 2018 registered for the offences under Sections 363 and 366/34 of the Indian Penal Code.

As per the allegations in the FIR, the married daughter of the informant namely, Rakhi Kumari disappeared on 29.11.2018 and on enquiry it transpired on 30.11.2018 that she had been taken away by accused Gandhi Paswan with the intention of marriage. The petitioner no. 1 happens to be the father of the said Gandhi Paswan and petitioner no. 2 happens to be his brother.

It is submitted by learned counsel for the petitioners that



in course of investigation the daughter of the informant was recovered and her statement under Section 164 Cr.P.C was recorded which has been brought on record as Annexure 2 to the application. She has categorically stated that she had gone with Gandhi Paswan out of her own sweet will and had married him. It is further submitted by learned counsel for the petitioners that the said Gandhi Paswan has been enlarged on bail by order dated 15.04.2019 passed in Cr. Misc. No. 15645 of 2019.

Having heard the learned counsel for the petitioners and the learned APP for the State, in view of the fact that the petitioners are father and brother of the said Gandhi Paswan who has already been enlarged on bail, the petitioners above named, in the event of their arrest or surrender in the court below within a period of six weeks from today in connection with Khagaria (Gangaur) P.S. Case No. 859 of 2018 are directed to be enlarged on bail on each of them furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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