

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45503 of 2019**

Arising Out of PS. Case No.-256 Year-2019 Thana- DANAPUR District-
Patna

- =====
1. VINDESHWAR PASWAN, male, aged about 65 years, Son of Late Nagina Paswan Resident of - Shahpur Dusad Toli, P.S.- Shahpur, Distt - Patna.
 2. Sunita Devi, female, aged about 62 years, Wife of Sri Vindeshwar Paswan Resident of - Shahpur Dusad Toli, P.S.- Shahpur, Distt - Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Sarvan Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 23-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 366(A) of the Indian Penal Code registered in connection with Danapur P.S. Case No. 256 of 2019.

3. It is submitted that the petitioners have been falsely implicated and in any event the accusation made in the victim's deposition recorded under Section 164 Cr. P.C. is against co-accused Rahish, Satish and 2 to 4 friends who are said to have taken her away to the place beyond Maner where Rahish asked her to marry him. The petitioners have been implicated merely because they happen to be the parents of the said



Rahish and had no role to play in the entire offence. The petitioners are persons of advanced age of about 65 years and 62 years respectively and claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Danapur, Patna in connection with Danapur P.S. Case No. 256 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner no. 2 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present and



petitioner no. 1 shall remain physically present in Court on each and every date, and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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