

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50378 of 2019

Arising Out of PS. Case No.-98 Year-2018 Thana- SIMRI District- Darbhanga

-
1. LAKHENDRA PASWAN, aged about 28 years, Male, Son of Jharokhi Paswan.
 2. Chandan Paswan @ Chandan Kumar, aged about 26 years, Male, son of Kirani Paswan.
Both resident of Village- Harpur, P.S.- Simri, District- Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Dr. Indivar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 13-08-2019 Heard learned counsel for the petitioners and

learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Simari P.S. Case No. 98 of 2018, registered for the offence under Sections 363, 365 and 366A of the Indian Penal Code and under Section 4/6 of the POCSO Act.

Allegation has been made that the minor daughter of the informant has forcibly been taken away by these petitioners.

An affidavit has been attached to this bail petition, in which the age of the victim girl has been shown as 19 years.

Learned counsel for the petitioners submits that the victim girl has voluntarily gone with the petitioner no.1 and entered into the marriage with petitioner no.1 and petitioner



no.2 has only assisted them. However, the statement of the victim girl has not been attached to this bail petition.

Looking to the aforesaid facts and circumstances of the case, let the above-named petitioners be released on provisional bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge-cum-Special Judge (POSCO Act), Darbhanga, in connection with Simari P.S. Case no. 98 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. This is also subject to the condition that the Court below will verify the genuineness of the affidavit attached with this bail petition as also the marriage of petitioner no.1 with the victim girl. If it is found that the same are genuine, then the provisional bail granted to the petitioners will be confirmed otherwise, the relief granted to the petitioners will be treated to have been withdrawn.

(Shivaji Pandey, J)

pawan/-

U		T	
---	--	---	--

