

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73301 of 2018

Arising Out of PS. Case No.-113 Year-2018 Thana- KORANSARAI District- Buxar

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Satendra Paswan, S/o-Lalu Paswan, Resident of Village-Ojha Waraon, P.S.-
Marar, District-Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 25-01-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
05.10.2018 in a case registered for the offences punishable
under Sections 365, 201 and 34 of the Indian Penal Code.

The prosecution case as per the written report of
Rajendra Paswan, submitted to SHO, Koransarai Police Station
is to the effect that on 11.09.2018 at 10.00 A.M., the daughter-
in-law of the informant, Phoolwanti Devi in conspiracy with the
petitioner, Satendra Paswan kidnapped the son of the informant.
It is further alleged that the petitioner has illicit relationship with
daughter-in-law of the informant and wife of the victim, Sunil



Paswan. At the earlier point of time also, daughter-in-law of the informant eloped with the petitioner twice. It is further alleged that the daughter-in-law of the informant had a talk with the petitioner on phone about the kidnapping of the son of the informant, hence the informant is convinced that the petitioner has committed the offence.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the accusation has been levelled against the petitioner. It is further submitted that the police forcefully obtained the confession of the petitioner and except the suspicion, no cogent evidence has been found collected against the petitioner so far. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP after going through the case diary submits that in paragraph no. 7 of the case diary, statement of a witness, Radheshyam Paswan has been recorded which suggests that he saw the victim in the company of the all the FIR named persons including the petitioner.

Considering the fact that for the occurrence of 11.09.2018, the FIR was registered on 03.10.2018 and the accusation is based on mere suspicion and circumstantial



evidence, coupled with statement made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **C.J.M., Buxar** in connection with **Koransarai P.S. Case No. 113 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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