

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2619 of 2020**

Arising Out of PS. Case No.-474 Year-2019 Thana- CHIRAIYA District- East Champaran

1. Rikash Paswan, Son of Late Rup Narayan Paswan, Resident of Village - Bahuarwa, P.S. - Chiraiya, District - East Champaran.
2. Chandrika Paswan, Son of Late Mahadeo Paswan, Resident of Village - Bahuarwa, P.S. - Chiraiya, District - East Champaran.
3. Rama Devi, Wife of Chandrika Paswan, Resident of Village - Bahuarwa, P.S. - Chiraiya, District - East Champaran.
4. Chandani Devi, Wife of Arun Paswan, Resident of Village - Bahuarwa, P.S. - Chiraiya, District - East Champaran.
5. Kamruddin Alam @ Kyamuddin Ansari, Son of Late Ali Bakash Ansari, Resident of Village - Bakhari, P.S. - Patahi, District - East Champaran.
6. Ranjeet Paswan, Son of Kapildeo Paswan, Resident of Village - Bakhari, P.S. - Patahi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate  
For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      05-03-2020      Heard learned counsel for the petitioners and learned A.P.P. for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Chiraiya P.S. Case no. 474 of 2019 registered for the offence(s) punishable under sections 363, 366A and 34 of the Indian Penal Code.

As per allegation in the F.I.R., it is alleged that the minor daughter of the informant was kidnapped by the accused persons. It is further stated that panchayati was called but the



accused persons stated that they would not get the girl back and nobody could touch them.

It is submitted by learned counsel for the petitioners that the daughter of the informant was on friendly terms with Arjun Paswan and she had gone with him willingly. It is further submitted that the petitioner nos. 2, 3 and 4 happens to be the father, mother and bhabhi of the said Arjun Paswan while petitioner nos. 1, 5 and 6 happens to be his co-villagers.

It is submitted that the daughter of the informant returned and her statement was recorded under section 164 Cr.P.C. which has been brought on record as Annexure- 2 to the petition wherein she has stated that nobody mis-behaved with her.

The application for bail is opposed by learned A.P.P. for State who submits that all the petitioners are named accused in the F.I.R.

Having heard learned counsel for the parties, it transpires that so far as the petitioner nos. 2, 3 and 4 are concerned, it is stated in the F.I.R. that they had a hand in instigating the accused persons in kidnapping of informant's daughter. So far as the petitioner nos. 1, 5 and 6 are concerned, they along with Arjun Paswan has been named by the daughter of the informant in her statement under Section 164 Cr.P.C. Taking into



consideration the recital in the F.I.R. and also the statement under section 164 Cr.P.C., this Court is not inclined to enlarge the petitioner nos. 1,5 and 6 on bail and as such their application for anticipatory bail is rejected. They are directed to surrender in the Court below within a period of 4 weeks. In case the petitioner nos. 1, 5 and 6 surrender within the aforesaid time, their application for bail shall be considered by the Court below expeditiously without being prejudiced by this order of rejection.

In the facts and circumstances of the case, this Court is inclined to enlarge the petitioner nos. 2, 3 and 4 on bail. The petitioner nos. 2, 3 and 4 are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Chiraiya P.S. Case no. 474 of 2019, they will be enlarged on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sikarahana, Dhaka, East Champaran, subject to the condition as laid down under section 438(2) of the Cr.P.C.

**(Partha Sarthy, J)**

Ankit/-

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