

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3120 of 2020

Arising Out of PS. Case No.-52 Year-2019 Thana- MUFFASIL District- West Champaran

1. RAMCHANDRA PASWAN S/o Kapil Paswan R/o Mohalla- I.T.I. Colony, Jai Prakash Nagar, P.S.- Muffasil Bettiah, District- West Champaran
2. Anil Paswan S/o Ramchandra Paswan R/o Mohalla- I.T.I. Colony, Jai Prakash Nagar, P.S.- Muffasil Bettiah, District- West Champaran
3. Ravi Paswan S/o Bhikhari Paswan R/o Mohalla- I.T.I. Colony, Jai Prakash Nagar, P.S.- Muffasil Bettiah, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Bettiah Muffasil PS case no. 52 of 2019 instituted for the offence punishable under Sections 366A, 341, 323, 504/34 of Indian Penal Code.

The allegation is regarding kidnapping of the victim girl by the accused persons.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case. It is further submitted that as far as the petitioners no. 1 and 3 are concerned, they are having clean antecedent while petitioner no. 2 is



an accused in one other case but he is on bail in the said case. The petitioners no. 1 and 3 are said to be languishing in custody since 12.02.2019 and the petitioner no. 2 is said to be languishing in custody since 14.01.2019. Lastly, it is submitted that a bare perusal of the statement of the victim girl made under Section 164 Cr.P.C. before the learned Magistrate would show that the petitioners are not having any complicity in the matter, inasmuch as the victim girl has stated that since her parents used to involve her in wrong works, she had fled away with the petitioner no. 2 and petitioner no. 2 had not enticed her.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners coupled with the fact that the victim girl, in her statement under Section 164 Cr.P.C. has not levelled any allegation of any misconduct or kidnapping at the behest of the petitioners herein as also taking into account the period of incarceration of the petitioners, I deem it fit and appropriate to release the abovenamed petitioner on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Bettiah Muffasil PS case no. 52 of 2019.

(Mohit Kumar Shah, J)

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