

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 6770 of 2020**

Arising Out of PS. Case No.-185 Year-2019 Thana- DHURAIYA District- Banka

PREM RAVIDAS Son of Prahlad Rabidas Resident of Village- Mandar-Deru,
P.S.- Dhoraiya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ranjeet Kumar Das No 2, Advocate

For the Opposite Party/s : Ms Meena Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

6 **22-06-2020** Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Dhoraiya Police Station (for
brevity, *PS*) Case No 185 of 2019 dated 24.09.2019 instituted
for the offence punishable under Section (s) 363, 366A/34 of
Indian Penal Code.

The informant has lodged a case of kidnapping against
the petitioner, co-accused Karamvir Paswan, Sangeet Paswan
and Rajive Paswan on 02.05.2019, of his daughter Nisha
Kumari.

Learned counsel for the petitioner submits that in respect
of same occurrence of 02.05.2019, the same informant had
earlier lodged a complaint case. Copy of the complaint case is



Annexure 2 bearing Complaint Case No 646 of 2019. Referring to the first information report (for brevity *FIR*), statement of victim on solemn affirmation and complaint petition, it is submitted that three versions of the occurrence have been stated in respect of the same offence of 02.05.2019. There is variance between the allegations in the complaint petition, statement of victim on solemn affirmation and that which has been stated in the *FIR*. In fact, the petitioner, along with all other family members of Karamvir Paswan, have been implicated in this case on extraneous considerations whereas fact is that informant's daughter had preexisting intimate relationship with the said Karamvir Paswan. Other than the Complaint Case No 646 of 2019 and the instant *FIR*, there is no criminal antecedent of the petitioner. In the complaint case, till date, cognizance has not been taken by the Court below. In the case diary (paragraph 9), two villagers have stated about the intimate relationship of the victim with co-accused Karamvir Paswan and that earlier also, they had eloped. Petitioner is in custody since 26.11.2019.

Learned APP has opposed the prayer submitting that the allegations are serious in nature.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Banka in connection with Dhoraiya PS Case No 185 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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

