

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20903 of 2020

Arising Out of PS. Case No.-305 Year-2017 Thana- BARACHATTI District- Gaya

Rahul Paswan @ Mithilesh Kumar Son of Muna Paswan Resident of Village-
Halimchak, Police Station-Fatehpur, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Dhirendra Pratap Singh

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 18-08-2020 This matter has been taken up through Video
Conferencing.

Let the defects be removed within two weeks after
opening of the physical court.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 365/376/34 of the Indian
Penal Code.

According to FIR, the informant, who is a married
lady aged about 19 years, was in her matrimonial house. Two
persons including the petitioner who were villagers of the
parents house came and asked that the brother of the informant
is ill. Believing them informant went along with the two



accused on a motorcycle and accused persons carried her to different places for two days and thereafter left her.

Learned counsel for the petitioner submits that there is no material to substantiate that the informant ever protested against the act of the accused persons; rather the matter appears to be of love affairs between the informant and co-accused Ravi Paswan. In her statement under Section 164 Cr.P.C. the informant stated that Ravi was in physical relation with her as husband and wife. However, she has not alleged anything against the petitioner. Investigation of the case is already complete. There is no material to substantiate that the petitioner is going to tamper with the evidence or not cooperate with the trial.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Barachatti (Mohanpur) P.S. Case No.305 of 2017, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.



(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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