

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31613 of 2020

Arising Out of PS. Case No.-120 Year-2018 Thana- SAKRI District- Madhubani

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1. CHHEDI PASWAN Son of Nande Paswan Residence of Village - Phakirna, P.S.- Biraul, Distt.- Darbhanga.
 2. Mahesh Paswan Son of Ramvilash Paswan Residence of Village - Phakirna, P.S.- Biraul, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Nityanand Tiwary (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-12-2020 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Sakri P.S. Case No. 120 of 2018 registered for the offence punishable under Sections 366, 497 and 34 of the Indian Penal Code.

The First Information Report makes out a case that the informant's married daughter had possibly eloped with the son of petitioner no. 1, after she was found missing from her in-laws place. It has been argued that petitioner no. 2 is agnate of petitioner no. 1. The alleged victim subsequently appeared and her statement was recorded under Section 164 of the Cr.P.C., before which she was examined by the Investigating Officer and



her statement was recorded under Section 161 of the Cr.P.C. It is being argued on behalf of the petitioner that there is apparent contradiction between the statements of the victim recorded under Section 161 of the Cr.P.C. and that under Section 164 of the Cr.P.C. None of the statements however supports the case of the prosecution, as disclosed in the F.I.R. It is accordingly being argued that entire case of the prosecution is full of contradictions.

Be that as it may, considering the circumstance that the petitioners appear to have been implicated, mainly because of their relationship with co-accused Pankaj Paswan, this application is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with Sakri P.S. Case No. 120 of 2018.

(Chakradhari Sharan Singh, J)

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