

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79196 of 2019

Arising Out of PS. Case No.-210 Year-2018 Thana- SABAUR District- Bhagalpur

MADAN PASWAN, Male, aged about 39 years, Son of Jodhan Paswan,
Resident of Village - Sultanpur Bhatti, P.S.- Sabour, Distt.- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ranjan Kumar Jha, Advocate.

For the Opposite Party : Mr.Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-05-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences under Sections 448, 341, 376, 323, 354, 504, 506 and
379/34 of the I.P.C.

The prosecution case, in short, is that on 30.06.2018
at about 7.00 P.M. Madan Paswan (petitioner) entered into the
house of the informant and committed rape upon her on the
point of pistol and on hulla, he fled away. When her mother
went to the house of the accused persons and asked about the



incident upon which, accused persons armed with Lathi and Danda went to the house of the informant and abused and assaulted the mother of the informant and in course thereof, co-accused Sanjeev Paswan took away Silver Chain from the neck of the mother of the informant and threatened with dire consequences.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.07.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The case has been instituted under Sections 448, 341, 376, 323, 354, 504, 506 and 379/34 of the I.P.C. but the charge sheet has been submitted under Sections 448, 341, 323, 354(B), 504 and 506/34 of the I.P.C. The date of occurrence is said to be 30.06.2018 as to when F.I.R. has been instituted on 03.07.2018 after a delay of four days. The delay has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of



A.C.J.M. IX, Bhagalpur in connection with Sabour P.S. Case
No. 210 of 2018.

Once the normalcy is restored, the petitioner shall
furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with
two sureties of the like amount each within a period of four
weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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