

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84936 of 2019

Arising Out of PS. Case No.-689 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

RAVINDRA PASWAN Son of Late Binda Paswan Resident of Village -
Shahbajpur, P.S.- Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Shankar Prasad
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-01-2020 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Hajipur Sadar P.S. Case No. 689/2019 registered under Sections 363, 366A of the Indian Penal Code and 4, 6, 8 & 10 of POCSO Act.

Learned counsel for the petitioner submits that as per the first information report the victim girl was allegedly seen by the co-villagers going with the named accused Gautam Paswan, Prabhat Kumar Choudhary and 4-5 unknown persons on a motorcycle. Later on the victim girl is said to have been found at Muzaffarpur Railway Station and she has made statement under Section 164 Cr.P.C.



wherein she has stated that she was taken to a house somewhere and one woman was serving her food and was taking her to meet the natural calls etc. and from the said woman the victim girl came to know that the house is that of this petitioner who is the brother-in-law (sister's husband) of the co-accused Gautam paswan.

It is submitted that the victim girl in her statement under Section 164 Cr.P.C. has not alleged to have seen this petitioner in the said house, she has not even disclosed the place where she was kept and further that no indecent act has been alleged against this petitioner. It is his submission that the petitioner has been made accused only because he happened to be the sister's husband of the co-accused Gautam Paswan. The victim girl was found at the Muzaffarpur Railway Station with said Gautam Paswan. The petitioner is a resident of district Vaishali and is in custody alleging that Aadhar Card of the victim girl was found in the house of this petitioner. It is submitted that the Aadhar Card was never found in the house of this petitioner and police has only concocted a story and introduced this to implicate this petitioner.



Learned A.P.P. for the State has opposed the prayer for regular bail of this petitioner, as according to him, the victim girl has alleged that she was kept in a house and that from a woman she had come to know that the house belongs to the petitioner.

Considering the facts and circumstances of the case wherein this petitioner is said to be the brother-in-law of the co-accused Gautam Paswan with whom the victim girl was recovered at Muzaffarpur Railway Station but the victim girl has not identified this petitioner in the alleged house and no overt act has been alleged against the petitioner, the petitioner, having no criminal antecedent, be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge - 1st – cum – Special Judge, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 689/2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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