

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86578 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- BIHIA District- Bhojpur

GAUTAM PASWAN Son of Umashankar Paswan Resident of Village -
Nargada, P.S.- Sahpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 01-06-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

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

Petitioner, who is in custody, seeks bail in a case registered for the offence punishable under Sections 366(a)/34 of the I.P.C.

Informant who is the mother of the victim girl has stated that on 24.03.2019 her daughter had gone to market thereafter she did not return and even after much search she could not be located and she came to know that petitioner and other co-accused have abducted her daughter and committed rape upon her.



It has been submitted on behalf of petitioner that petitioner is innocent and has been falsely implicated in this case. It has been further submitted that occurrence took place on 24.03.2019 but FIR was lodged on 06.04.2019 after delay of 13 days without any explanation. There is specific allegation against Nagendra Singh and Deepak Yadav of kidnapping the daughter of informant and there is love affairs with Deepak Yadav and daughter of informant. Petitioner is friend of Deepak Yadav due to which petitioner has been implicated in this case. Petitioner has no criminal antecedent and is in custody since 02.09.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in POCSO Case No. 67 of 2019 arising out of Behea P.S. Case No. 104 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each



and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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