

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40222 of 2021**

Arising Out of PS. Case No.-425 Year-2020 Thana- RAHUI District- Nalanda

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BALMIKI PASWAN, Son of Late Ram Briksh Paswan @ Late Ramvrish
Paswan, Resident of Village- Maghra, P.S.- Deepnagar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

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

2 04-08-2021 Petitioner, who is in custody, seeks bail in a case

registered for the offence punishable under Sections 363, 365/34

of the Indian Penal Code.

Allegation against the petitioner along with FIR

named accused is of kidnapping the daughter of the informant.

Earlier also, petitioner had moved this Court for grant

of regular bail which was rejected vide Annexure 2 with liberty

to renew his prayer after framing of charge.

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 by learned counsel for the

petitioner that there is contradiction in the statement of the

victim girl recorded under Section 161 of Cr.P.C. and 164 of

Cr.P.C. Victim is major and there is no allegation of any sexual assault against petitioner. Charges has been framed. Petitioner is in custody since 30.11.2020.

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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist , Nalanda at Bihar Sharif, in connection with Rahui (Vena) P.S. Case No. 425 of 2020 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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