

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35857 of 2020

Arising Out of PS. Case No.-352 Year-2018 Thana- MAHUA District- Vaishali

1. BINOD PASWAN Son of Late Prabhu Paswan Resident of Village-Mirja Nagar, Ward No. 3, P.S.-Mahuwa, District-Vaishali.
2. ARJUN PASWAN Son of Ashok Paswan (but in FIR wrongly given as son of Binod Paswan) Resident of Village-Mirja Nagar, Ward No. 3, P.S.-Mahuwa, District-Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore
For the Opposite Party/s : Mr. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-04-2021 Heard both sides.

The petitioners apprehend their arrest in Mahuwa P.S. case No. 352/2018 registered under Section 365/ 366(a)/34 of the IPC.

The informant alleged that one Shailesh Kumar with the help of one another person kidnapped his minor daughter on a motor cycle. When the informant went to the house of Shailesh Kumar, the petitioners are alleged to have abused and assaulted the informant.

The learned counsel for the petitioners submits that petitioners are innocent and they have committed no offence. The petitioner No.1 is father of Shailesh Kumar and the petitioner No.2 is close relative of Shailesh Kumar. The victim



herself made her statement u/s 164 of the Cr.P.C. (Annexure-2) and she disclosed that she voluntarily left her house and went along with Shailesh Kumar. She further disclosed that she solemnized marriage with Shailesh Kumar out of her free will. The victim disclosed her aged to be 21 years.

Taking into consideration the facts aforesaid and the fact that victim herself denied the factum of her kidnapping and she disclosed that she voluntarily left her house and solemnized marriage with Shailesh Kumar, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahuwa P.S. case No. 352/2018 subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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