

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40270 of 2020

Arising Out of PS. Case No.-18 Year-2020 Thana- SAHARGHAT District- Madhubani

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KANHAIYA PASWAN @ KANHAIYA PASMAN Son of Amiri Paswan @
Amiri Pasman Resident of Village - Awari @ Abari, Police Station -
Sherghati, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rana Bhupendra Narayan Singh

For the Opposite Party/s : Ms. Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-02-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Saharghat Police Station Case No. 18 of 2020, registered for the
offences punishable under Sections 363/366-A of the Indian
Penal Code.

The allegation, as per the First Information Report, is
that the petitioner abducted the minor daughter of the informant
for the purpose of marriage.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case with oblique
motive and there was love affairs between the petitioner and the
victim girl. He next submits that the statement of the victim girl,



under Section 164 of the Code of Criminal Procedure, 1973, was recorded, in which she has categorically stated that she has performed marriage with the petitioner in a temple at Jaipur and there is three-months pregnancy out of the said wedlock. He next submits that the learned Magistrate, while recording the statement of the victim girl under Section 164 of the Code of Criminal Procedure, 1973, has assessed the age of the victim girl as 18 years; whereas the doctor's report is that the victim girl, at the time of occurrence, was aged about 16 and odd year. He next submits that the petitioner is in custody since 29.07.2020.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the statement of the victim girl under Section 164 of the Code of Criminal Procedure, 1973, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Benipatti, Madhubani, in connection with Saharghat Police Station Case



No. 18 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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