

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41068 of 2020

Arising Out of PS. Case No.-57 Year-2017 Thana- MAHNAR District- Vaishali

1. RANJEET PASWAN @ RANJIT PASWAN Son of Late Vishuni Paswan Resident of Village - Chamarhara, P.S.- Mahnar, Distt.- Vaishali.
2. BADRI PASWAN Son of LATE VISHUNI PASWAN Resident of Village - Chamarhara, P.S.- Mahnar, Distt.- Vaishali.
3. LALPARI DEVI @ RAM PARI DEVI W/o LATE VISHUNI PASWAN Resident of Village - Chamarhara, P.S.- Mahnar, Distt.- Vaishali.
4. BABLOO PASWAN @ DABLOO PASWAN @ BABLU KUMAR PASWAN Son of LATE VISHUNI PASWAN Resident of Village - Chamarhara, P.S.- Mahnar, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-08-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 30.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Mahnar P.S. Case no. 57 of 2017, registered under Sections 363, 365 and 506/34 of the Indian Penal Code.

The accusation is that in the night of 13/14-



02.20217, Dablu Paswan (Petitioner No.4) called from his mobile at mobile No. 8229016473, thereafter, daughter of informant, aged about 15 years, moved from house for attending call of nature, thereafter, she was kidnapped by Dablu Paswan, Ranjeet Paswan and Badri Paswan. When informant Manju Devi made complaint to Lalpari Devi (Petitioner No.3), mother of Dabloo Paswan then she replied that her son has kidnapped to her daughter.

Learned counsel for the petitioners submits that petitioner No.1 Ranjeet Paswan, petitioner No.2 Badri Paswan and petitioner No.3 Lalpari Devi are brothers and mother of petitioner No.4 Babloo Paswan @ Dabloo Paswan against whom the allegation has been made to talk on mobile to the daughter of informant. Further submission is that, in fact, due to love affairs, the daughter of informant moved with petitioner No.4 and performed marriage, which would appear from statement of victim, daughter of informant, as recorded under Section 164 Cr.P.C. on 02.06.2018 in which she had stated about moving from house due to love affairs and performing marriage in temple. Further submission is that at the time of recording of statement under Section 164 Cr.P.C., the age of victim was assessed 19 years and she also disclosed her age 20



years. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-VI, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 57 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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