

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6352 of 2021

Arising Out of PS. Case No.-97 Year-2018 Thana- MADHWAPUR District- Madhubani

ANIL PASWAN @ ANIL KUMAR PASWAN Son of Late Pradip Paswan
Resident of Village - Bihari, P.S.- Mahdwapur, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-12-2021 Heard Mr. Shailendra Kumar Jha, learned Advocate for the petitioner and Mr. Kumar Ranjit Ranjan, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Madhwapur P.S. Case No. 97 of 2018 dated 08.12.2018 instituted for the offences under Sections 363, 366(A) and 34 of the Indian Penal Code.

The accusation against the petitioner is of having abducted the minor daughter of the informant.

The learned counsel for the petitioner has submitted that the accusation is false. The petitioner has married the victim and a child also has been born out of the wedlock. Some of the other accused persons have been granted anticipatory bail.



Today, the victim is not a minor.

However, since on the date of the occurrence and marriage of the petitioner with the victim, she was a minor, I am not inclined to exercise my discretion for granting anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, it shall be considered on its own merits including that the victim is now a major and is living as wife of the petitioner with a child in her lap and shall pass orders in accordance with law without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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