

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2749 of 2021

Arising Out of PS. Case No.-243 Year-2019 Thana- HARLAKHI District- Madhubani

1. NARESH PASWAN S/o MAHESHI PASWAN, RESIDENT OF VILLAGE SISAUNI, P.S-HARLAKHI, DISTRICT-MADHUBANI
2. MAHESHI PASWAN, SON OF LATE SAHDEO PASWAN, RESIDENT OF VILLAGE SISAUNI, P.S-HARLAKHI, DISTRICT-MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mrs. Vaishnavi Singh, Adv.
For the Informant	:	Mr. Gopal Jha, Adv. Mr. Shreepal Jha, Adv.
For the State	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-03-2021 Heard learned counsel for the petitioners, learned counsel for the informant and learned Addl. P.P.

The petitioners seek bail in Harlakhi P.S. Case No. 243/2019, registered for the offence punishable under Section 366(A)/34 of the Indian Penal Code.

As per prosecution case, on 16.11.2019 daughter of informant had gone to attend call of nature but she did not return. During course of search, informant learnt that Ajit Paswan has taken away her daughter for the purpose of marriage.

Learned counsel for the petitioners submits that in the statement of victim recorded under Section 164 of the Cr.P.C., she has stated her age to be 19 years. She has stated that out of her own will she had gone with co-accused Ajit Paswan and married



with him. Petitioner no. 1 is father of co-accused Ajit Paswan. There is no specific allegation against these petitioners. They are in custody since 31.08.2020.

In view of the statement of the victim recorded under Section 164 of the Cr.P.C. and the fact that there is no specific allegation against these petitioners, the petitioners, above-named, are directed to be enlarged on bail 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 II, Benipatti, Madhubani, subject to the following conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper 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 petitioners.

(Prabhat Kumar Singh, J)

rakhi/-

U		T	
---	--	---	--

