

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2715 of 2021

Arising Out of PS. Case No.-112 Year-2020 Thana- SILAO District- Nalanda

MANOJ PASWAN, s/o Kishori Paswan, R/o Village-Bajitpur (Bernausa),
P.S.-Silao, District – Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-03-2021 Heard Mr. Ashok Kumar, learned Counsel for the
petitioner and Mr. Nawal Kishore Prasad, learned Additional
Public Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out
of Silao Police Station Case No. 112 of 2020, disclosing
offences under Sections 363, 366A of the Indian Penal Code and
Section 9, 10 and 11 of the Child Marriage (Restraint) Act.

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

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case. Learned counsel
next submits that the statement of the victim girl has been
recorded under Section 164 Cr.P.C. which is at Annexure-2 and



from perusal of the same, it would be evident that learned Magistrate while recording the statement of the victim girl has assessed the age of the girl as 18 years and girl has also disclosed her age, as 18 years. Learned counsel next submits that the victim girl has specifically stated that she had gone with the petitioner on her own will and has solemnized marriage with the petitioner in a temple. Learned counsel further submits that petitioner is in custody since 22.06.2020 and the chargesheet has already been submitted against the petitioner and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the statement of victim girl recorded under Section 164 Cr.P.C. and the fact that petitioner is in custody since 22.06.2020 having no criminal antecedent and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Manoj Paswan, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Biharsharif, in



connection with Silao Police Station Case No. 112 of 2020.

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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