

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.3490 of 2021**

Arising Out of PS. Case No.-289 Year-2019 Thana- RAJNAGAR District- Madhubani

RANJIT PASWAN Son of Late Dukhi Paswan Resident of Village - Karhiya,
P.S. - Rajnagar, District - Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gopal Jha, Advocate

For the Opposite Party/s : Mr.Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 05-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Rajnagar P.S. Case No. 289 of 2019 (C.R.I. No. 1950 of 2019) registered for the offences punishable under Section 363, 366(a), 376, 379, 323 and 504/34 of the Indian Penal Code.

As per prosecution story, one Ram Kumar Paswan who, happens to be the father-in-law of the petitioner, lodged an F.I.R. stating therein that he was residing at Kolkata, and on 26.02.2019, the petitioner had gone to the house of the informant, in the evening his wife informed him that their younger daughter aged about 15 years had gone to the market but did not returned. They searched their daughter but failed. On



03.03.2019, they reached at the house of the petitioner where the daughter of the informant was present and told him that when she had gone to market, Ranjit Paswan (petitioner) had also reached there and forced her to come with him. Ranjit Paswan had taken away the daughter of the informant to a Hotel and committed rape upon her.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Learned counsel submits that the victim girl is said to be the sister-in-law of the petitioner, she has been found aged about 19 years in the medical examination by the Board. Learned counsel submits that petitioner is in custody since 10.05.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the victim girl is said to be the sister-in-law of the petitioner, she has been found aged about 19 years in the medical examination by the Board, the alleged occurrence is that of 26.02.2019, the victim went to the house of the petitioner where her sister was also staying and thereafter on 25.03.2019



only a complaint petition was filed in the learned court below which was referred to the police station for lodging of First Information Report and the F.I.R. was lodged seven months after the alleged occurrence, the victim girl and her family are now not willing to pursue the matter, learned counsel for the petitioner submits that he has instruction to say that the victim girl has already solemnized the marriage, and this petitioner has remained in custody in connection with the present case since 10.05.2020, investigation against him is complete, but the trial is not likely to be concluded in near future, considering all these aspects of the matter, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Madhubani in connection with Rajnagar P.S. Case No. 289 of 2019 (C.R.I. No. 1950 of 2019), subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

