

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8000 of 2021**

Arising Out of PS. Case No.-301 Year-2020 Thana- BARAUNI District- Begusarai

RAJ KUMAR PASWAN S/O- RAM SUJAN PASWAN R/O VILLAGE-
TILRATH, P.S.- BARAUNI, DISTRICT- BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar
For the Informant	:	Mr. Sandip Kumar Gautam
For the Opposite Party/s	:	Ms. Anita Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 21-05-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Barauni P.S. Case No. 301
of 2020, registered for the offence punishable under Section 366
of the Indian Penal Code.

As per the prosecution case, the daughter of informant
(minor) was kidnapped by the petitioner with the help of his
family members for the purpose of marriage or they might have
sold her.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. In fact, there



is love affair between the petitioner and the daughter of informant. Both of them appeared before the police and the victim girl in her statement under Section 164 Cr.P.C has stated that she voluntarily left her house and went along with this petitioner and they have also solemnized marriage. Petitioner is in custody since 22.08.2020 having clean antecedent.

However counsel for the informant vehemently opposed the prayer for bail and submitted that victim girl is minor and her consent is immaterial.

Considering the facts and circumstances of the case and the statement of victim girl recorded under Section 164 Cr.P.C, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 301 of 2020, subject to following conditions:-

(i) The petitioner 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, his bail bond shall be liable to be



cancelled by the court below.

(ii) If the petitioner tampers 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 petitioner.

(Prabhat Kumar Singh, J)

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