

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7957 of 2021

Arising Out of PS. Case No.-45 Year-2020 Thana- BALTHAR District- West Champaran

Pradeep Paswan, Son of Sri Doma Paswan @ Daoma Hajra, Resident of
Village - Gaudhari, P.S.- Balthar, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma- Advocate Ms. Rashmi Jha- Advocate
For the Opposite Party/s	:	Mr. Dashrath Mehta- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-04-2021 Heard Ms. Rashmi Jha, learned counsel appearing
for the petitioner and Mr. Dashrath Mehta, learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner seeks regular bail in connection with
Balthar P. S. Case No.45 of 2020 registered for the offence
punishable under Sections 366-A/ 34 of the Indian Penal Code,
1860 and Section 8 of the Protection of Children from Sexual
Offences Act, 2012 (POCSO Act).

The allegation as per the first information report is
that minor daughter of the informant has been abducted by the
petitioner and other accused persons for the purpose of
marriage.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to oblique motive inasmuch as the incident has taken place on 28.05.2020, but the F.I.R. has been lodged on 01.06.2020, after an unexplained delay. Learned counsel next submits that the statement of the victim girl was recorded under Section 164 of the Cr.P.C. wherein she has categorically stated that her brother had scolded her due to which the victim left the house and went to the house of her maternal uncle. Learned counsel further submits that petitioner is in custody since 01.06.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the statement of the victim girl recorded under Section 164 of the Cr.P.C. at Annexure-3, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge-cum-the Special Judge, POCSO Act, West Champaran, Bettiah in connection with Balthar P. S. Case No.45 of 2020.

It is made clear that at the time of furnishing bail



bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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