

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11198 of 2022

Arising Out of PS. Case No.-278 Year-2018 Thana- BAIRIYA District- West Champaran

RAMFAL PASWAN S/o Butan Paswan @ Harendra Paswan R/o village-
Banuchhapar, P.S.- Banuchhapar O.P., District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 15331 of 2022

Arising Out of PS. Case No.-278 Year-2018 Thana- BAIRIYA District- West Champaran

ASHA DEVI W/o Harendra Paswan @ Butan R/o Village- Bauchchapar, P.S.-
Banuchhapar O.P., District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 11198 of 2022)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Raj Kishore Singh

(In CRIMINAL MISCELLANEOUS No. 15331 of 2022)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 20-05-2022 Learned counsel for the petitioners is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioners as well as

the learned APP for the State.

The petitioners apprehend their arrest in connection



with Bairiya P.S. Case No. 278 of 2018, registered for the offences punishable under Sections 363, 366A, 379 of the Indian Penal Code and U/s 4 of POCSO Act.

As per allegation, six accused persons named in the FIR abducted the informant's minor daughter, Sugi Kumari.

Learned counsel for the petitioners has submitted that the victim did not name petitioner Ramfal Paswan in her statement under Section 164 of the Cr.P.C.. He has submitted further that although she has named petitioner, Asha Devi, but there is no allegation of abduction against her rather the victim has stated only that the petitioner, Asha Devi, is paternal aunt (*phua*) of co-accused Arun Kumar Paswan and the victim was kept for some days in the house of the petitioner Asha Devi. Learned counsel for the petitioner has submitted further that as there was no material against the petitioners the investigating authorities submitted final form against both the petitioners.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released 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 Additional District and Sessions Judge 7th



cum Special Judge POCSO, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 278 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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