

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30022 of 2021

Arising Out of PS. Case No.-595 Year-2018 Thana- SHERGHATI District- Gaya

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Jitendra Paswan@Jitendra Kumar Son Of Sri Paswan Resident Of Village-
Nawada, P.S.- Sherghati, District- Gaya Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Sherghati P.S. Case no. 595 of 2018 instituted for the
offence punishable under Section 366 of the Indian Penal Code.

As per allegation in the FIR, when the daughter of the
informant did not return from Sherghati School till evening, a
search was made and he came to know that petitioner has
enticed away his daughter to marry her.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has been falsely implicated in this case. Matter has been compromised and a compromise petition is annexed to this petition as Annexure-3. Petitioner is a major and it is evident from the impugned order that her age is assessed to be between 18 to 20 years. In fact, petitioner has not abducted the daughter of the informant rather she herself eloped with the petitioner for getting a job.

Learned APP appearing for the State has opposed the prayer of bail and submitted that after enticing, petitioner has kidnapped the minor daughter of the informant on the pretext of providing a job, he made physical relation with this minor girl repeatedly. Witnesses have also supported the prosecution case. During recording the statement of victim, her age was assessed as 17 years by the Magistrate.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of abduction and committing rape upon the minor daughter of the informant, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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