

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21161 of 2022

Arising Out of PS. Case No.-48 Year-2019 Thana- MAHNAR District- Vaishali

SHIVAM KUMAR PASWAN Son of Kamleshwar Paswan Resident of
Village - Sahpur, P.S.- Mahnar, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 366(A)
and 366 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that his married daughter had
come to her parental home and had gone out of the house to buy
some goods but did not return and during course of inquiry he
came to know that she had left with grandson of Parmeshwar
Paswan with an intention to marry.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case. It is further submitted that the victim is major and her statement was recorded under Section 164 Cr.P.C. wherein she very clearly stated that her father intended to get her married forcibly with Sujit Thakur and even married her to Sujit Thakur but thereafter the victim came back to her parental home and on her own volition left with the petitioner and they performed marriage and are staying in Punjab and out of the wedlock a child was born. Learned counsel, thus, submits that in view of the statement of the victim recorded under Section 164 Cr.P.C. it would manifest that she on her own volition had left with the petitioner and now they are married and even has a child from the wedlock, as such, no justifiable purpose would be served by sending the petitioner to jail.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the



satisfaction of the learned court below where the case is pending/successor court in connection with Mahnar P.S. Case No. 48 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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