

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30516 of 2021

Arising Out of PS. Case No.-281 Year-2020 Thana- BENIPATTI District- Madhubani

DHYANI PASWAN S/o Shri Panchchu Paswan R/o village - Pali Khiri Tole,
P.S. - Benipatti, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Ranjan, Advocate
For the Informant	:	Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Benipatti P.S. Case No. 281 of 2020, dated 14.10.2020 instituted
for the offences under Sections 363, 366A, 367 and 372 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 03.12.2020, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of kidnapping the minor daughter of the
informant by the accused persons including the petitioner.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated, the Doctors have assessed the age of the victim as major. Further the victim has not supported the prosecution case in her statement made under Section 164 Cr.P.C., also that the date of birth of the victim as recorded in the impugned order is 14.04.2003 and the case was instituted in the year 2020, as such, even assuming that the date of birth of the victim was 14.04.2003 then also in 2020 she was above 17 years, as such, the victim had reached the age of discretion and she was capable of understanding the consequences of her action.

Learned A.P.P. for the State and the informant opposes the prayer for regular bail and submits that victim was a minor but are not able to meet the submissions of the learned counsel for the petitioner that Doctors have assessed the victim as major and the victim has not supported the prosecution case under Section 164 Cr.P.C.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted and the victim has not supported the prosecution case in her statement under Section 164 Cr.P.C, let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount



each to the satisfaction of learned Additional Chief Judicial
Magistrate-I, Benipatti, Madhubani in connection with Benipatti
P.S. Case No. 281 of 2020.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

