

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28586 of 2022**

Arising Out of PS. Case No.-95 Year-2020 Thana- RUDRAPUR District- Madhubani

THAKKAN PASWAN S/o Late Bhukan Paswan Resident of Village- Barsam,
P.S.- Rudrapur, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 29-08-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 363 and 366(A)/34 of the Indian
Penal Code.

The minor daughter of the informant is said to
have been abducted for the purpose of marriage.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that the alleged occurrence took place on
17.08.2020 whereas the F.I.R. has been lodged on
21.08.2020 after lapse of four days without explaining the



plausible delay. He further submits that the petitioner happens to be father of the accused, Pawan Paswan, who is alleged to have performed marriage with the victim girl and both of them are still traceless. He further submits that the petitioner has no concern with alleged occurrence nor he has played any role in the alleged occurrence. He further submits that the petitioner is an old aged person running in his sixties and the petitioner, who is of no fault, is rotting in judicial custody since 01.10.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Rudrapur P.S. Case No. 95 of 2020/ G.R. No. 1570 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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