

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28713 of 2022

Arising Out of PS. Case No.-227 Year-2020 Thana- KHAJAULI District- Madhubani

Govind Paswan @ Govind Kumar Paswan, S/O Vishnu Dev Paswan R/O
Village- Rasidpur, P.S.- Khajauli, Distt.- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah

For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 363, 366(A), 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 08.11.2020, the petitioner kidnapped his minor niece and on search, she was traceless.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that the victim has returned and has not supported the prosecution case in her statement under Section 164 of the Cr.P.C. It is next submitted that doctor has assessed the age of the victim in between 15-16 years and the victim in her statement recorded under



Section 164 Cr.P.C. has disclosed her age as 19 years. The learned counsel submits that whenever two individual fall in love, generally they do not assess the age for falling in love. It is next submitted that though the doctor has assessed the age of the victim in between 15-16 years, but then the victim herself has disclosed her age as 19 years and has not supported the prosecution case as it has been recorded in the impugned order also, as such, the learned counsel submits that sending the petitioner to jail would not serve any purpose.

Learned A.P.P. opposes the bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Khajauli P. S. Case No.227 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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