

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38407 of 2021

Arising Out of PS. Case No.-144 Year-2016 Thana- PARSABAZAR District- Patna

1. Ramavtar Paswan Son of Lala Paswan Resident of Village- Chanaura, P.S.- Bena, District- Nalanda.
2. Raghawendra Paswan Son of Lala Paswan Resident of Village- Chanaura, P.S.- Bena, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikramdeo Singh, Advocate
	:	Mr. Awadhesh Prasad Sinha, Advocate
For the Informant	:	Mr. Saket Anand, Advocate
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 24-01-2022 Heard learned counsel for the petitioners, Shri Saket Anand, learned counsel for the informant and Shri Chandra Bhushan Prasad, learned A.P.P. for the State through virtual Court proceedings.

The petitioners seek bail in connection with Parsa Bazar P.S. Case No. 144 of 2016 instituted for the offences under Sections 363 and 365 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are in custody since 07.01.2021, are persons with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioners submits that



informant in the F.I.R. alleges that his son Abhishek Kumar, aged about 18 years, was forcibly married with the minor daughter of petitioner no. 1.

Learned counsel for the petitioners submits that it was a love marriage and a male child was born out of the wedlock also and subsequently when the informant came to know about the marriage, he started opposing, based on which the present false case came to be instituted.

Learned A.P.P. for the State and learned counsel for the informant vehemently oppose the prayer for bail of the petitioners. Earlier when the matter was taken up on 11.01.2022, learned counsel for the informant had made a specific submission that the informant's son was forcefully married to the daughter of petitioner no.1 and the birth certificate of the child which is annexed is fake. Accordingly, the Court had directed the Registrar, (Birth and Death), Sadar Hospital, Nalanda to furnish his report as to whether the birth certificate is genuine or fake.

Shri Chandra Bhushan Prasad, learned A.P.P. for the State today submits that he has filed a counter affidavit in the present case wherein the Registrar, (Death and Certificate), Sadar Hospital, Nalanda has given his report stating that the



birth certificate is genuine.

Learned counsel for the informant still disputes the counter-affidavit.

Be that as it may, considering the fact that the petitioners are in custody since 07.01.2021, charge-sheet has been submitted in the case and the petitioners are persons with clean antecedent, let the petitioners above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Judge-VIII-cum-A.C.J.M.-1, Patna in connection with Parsa Bazar P.S. Case No. 144 of 2016.

(Satyavrat Verma, J)

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