

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31091 of 2022

Arising Out of PS. Case No.-365 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

Santosh Paswan Son Of Shivam Paswan Resident Of Village- Kanhara
Raghu, Police Station- Bochahan, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bochahan P. S. Case No. 365 of 2021 lodged under Sections 363
and 366(A)/34 of the Indian Penal Code.

As per the F.I.R., the informant has filed the present
case mentioning that at the night of 17.12.2021 at about 11:30
P.M. the petitioner along with one Santosh Paswan and Manjit
had kidnapped the daughter of the informant aged about 14
years. The allegation upon the accused persons are to take away
the minor daughter of the informant. Upon *hulla*, the co-
villagers interfered and stopped the same. All named accused

persons were apprehended from the place of occurrence. Learned counsel for the petitioner submits that petitioner is innocent. He further submits that there are three persons made accused in the present case namely, Rita Devi, Santosh Paswan and Manjit. Learned counsel for the petitioner further submits that Manjit is the owner and proprietor of the brick kiln where Rita Devi, daughter of informant (the alleged victim) were working as a labour in the said brick kiln of the accused Manjit. Learned counsel for the petitioner further submits that the marriage was fixed between the daughter of the informant alongwith Manjit. But villagers opposed the same and upon the pressure of the villagers, the informant filed the present case. Learned counsel for the petitioner further submits that petitioner is in custody since 19.12.2021 and his antecedent is clean. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon her by the court.

Learned counsel for the State opposes the prayer for bail and submits that the contents of F.I.R. has been supported by the informant as well as victim in her statement recorded under section 161 of Cr.P.C. as well as 164 of Cr.P.C. Therefore, his bail should be rejected. In the present facts and circumstances of the case and the submissions made above, I am

not inclined to grant bail to the petitioner at present.
Accordingly, the bail petition of the petitioner is hereby rejected.

Liberty is hereby granted to the petitioner to move for bail after 3 months from the date of framing of charge. The trial court shall release the petitioner on bail on its own condition, so that the petitioner may not evade his appearance during trial.

(Dr. Anshuman, J.)

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