

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44568 of 2021

Arising Out of PS. Case No.-5 Year-2021 Thana- PANDAUL District- Madhubani

ARHUL PASWAN, S/o Late Kushe Paswan, R/o Village- Salempur, P.S. -
Pandaual, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-02-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Narendra Kumar Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Pandaual P.S. Case No.5 of 2021 registered for
the offences punishable under Sections 366A/34 of the Indian
Penal Code. He is in custody since 21.02.2021. The petitioner
has got one criminal antecedent in which he is on bail as stated
in paragraph '3' of the application.

As per the prosecution story, on 17.12.2020 the
informant along with her minor daughter aged about 15 years
was returning from the house of her Nanad after attending a



function. It is alleged that when she reached at Bhagwatipur Chowk, her daughter went to bring some articles from the shop, but she did not return. Thereafter, the informant tried to search her daughter and in course of search she came to know that Rahul Kumar Paswan, Ram Udgar Paswan and other two unknown persons have kidnapped her daughter with an intention to marry her.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner happens to be the uncle of a boy with whom the victim girl is said to have eloped and she has admitted in her statement under Section 164 Cr.P.C. that she was in love affair with the boy namely Rahul Kumar Paswan and has disclosed her age as 19 years.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner happens to be the uncle of a boy with whom the victim girl is said to have eloped, she has admitted in her statement under Section 164 Cr.P.C. that she was in love affair with the boy namely Rahul Kumar Paswan and has disclosed her age as 19 years, this Court directs that the petitioner above named be



released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Pandaul P.S. Case No.5 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

