

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36529 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- KOCHAS District- Rohtas

Rajesh Kumar Paswan @ Munni Kumar Paswan Son Of Murari Paswan
Resident Of Village- Satsha, P.S.- Kochas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2022 Let the defect(s), 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 Kochas P.S. Case No. 87 of 2022 lodged under Section 366 of the I.P.C.

As per the prosecution case, the daughter of the informant was kidnapped for the purpose of marriage by the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that in the F.I.R. itself the informant i.e., the father of the victim has alleged that age of his daughter is 19 years. Learned counsel for the petitioner further submits that in her statement under

Section 164 of Cr.P.C. upon recovery, the said victim has categorically stated every circumstances under which she left her house.

Learned counsel for the petitioner further submits that petitioner is in custody since 26.03.2022, charge sheet has already been filed in this case. He submits that there is one criminal case pending against the petitioner which is of theft in which he is on bail. Learned counsel for the petitioner further submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sri D. K Rai, A.C.J.M.-cum-Sub. Judge, 5th, Rohtas at Sasaram in connection with Kochas P.S. Case No. 87 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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