

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42906 of 2022

Arising Out of PS. Case No.-553 Year-2021 Thana- GHORASAHAN District- East
Champaran

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RAVINDRA PASWAN Son of Late Yogendra Paswan @ Yogi Paswan
Resident of village- Khodha P.S- Chiraiya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-11-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offence under Sections 363/366A and 34 of the
Indian Penal Code.

The daughter of the informant is said to have been
abducted by the petitioner and others for the purpose of
performing marriage of her daughter with one Manibhushan,
who happens to be brother of the petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the petitioner has been made accused in this case merely on the
ground that he happens to be the brother of Manibhushan



against whom daughter of the informant was having love affairs. He further submits that as a matter of fact, the alleged occurrence took place on 14.12.2021 whereas the F.I.R. has been instituted on 25.12.2021 after lapse of eleven days without explaining the plausible delay which itself falsifies the allegation levelled against the petitioner. He further submits that further contends that the victim in her statement recorded under Section 164 Cr.P.C. has clearly stated that she was having love affairs with the brother of the petitioner and with her own volition and sweet will she has left her house. She has not supported the allegation as levelled against the petitioner. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of arrest of surrender before the court below within a period of four weeks from the date of order be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ghorasahan (Lakhaura) P.S. Case No. 553 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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