

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44102 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- KHODAWANDPUR District- Begusarai

Raja Kumar Paswan Son Of Hari Paswan R/O Saghi Dih, P.S.-
Khodawandpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-11-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Khodawandpur P.S. Case No. 40 of 2022 registered for the offences punishable under Sections 363, 366 (A), 34 of the Indian Penal Code.

As per the prosecution, the informant's minor daughter aged about 16 years was kidnapped by this petitioner with other co-accused persons. Further it is alleged that the accused persons were involved in illegal business of liquor.

The main submissions advanced by learned counsel Mr. Manoj Kumar, appearing for the petitioner are that the so-called victim is a major girl, she left her parent's house according to her sweet will and consent, in fact she had love affair with this petitioner and consequently solemnized marriage with this petitioner and the said facts have been supported by her before the Judicial Magistrate in her statement.

Learned APP Mr. Suresh Prasad Singh, appearing for the State has opposed the prayer for bail.

Having regard to the facts and circumstances of this case, considering the above submissions and mainly the facts that the so-called victim has been recovered and she has recorded her statement before the Judicial Magistrate in which she has denied the allegation of FIR and accepted her love affair as well as matrimonial relationship with this petitioner and she disclosed her age as 19 years before the Judicial Magistrate while recording her statement and also considering the petitioner's custody period and his clean antecedent, in the opinion of this Court the petitioner deserves to a lenient approach of this Court, let the petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection

with Khodawandpur P.S. Case No. 40 of 2022.

(Shailendra Singh, J.)

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