

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54531 of 2021

Arising Out of PS. Case No.-49 Year-2018 Thana- PUPRI District- Sitamarhi

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Birendra Paswan, Son of Ram Sagar Paswan, Resident of Village- Parsa ,
Ward No 9, P.S- Harlakhi, Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2022 Heard learned counsel for the petitioner and Shri Nityanand, learned A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Pupri (Choraut) P.S. Case No. 49 of 2018 instituted for the offences under Sections 363, 366, 366(A) and 372 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 12.04.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that informant alleges that her minor sister after tuition did not return then a search was made but the victim was not located, thereafter informant came to know that his brother-in-law



(petitioner) along with named accused persons has kidnapped his sister for marriage and prostitution. It is further alleged that his another sister saw clothes of the victim in the home of co-villager Rajo Devi where she had gone for recharging her mobile.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, the petitioner is own brother-in-law of the informant and the victim came back and gave her statement under Section 164 of the Cr.P.C. where she disclosed her age as eighteen years and even the court assessed her to be a major. It is further submitted that the victim has stated that she on her own volition had left with the petitioner and she has married the petitioner with the permission of her sister as such she has not supported the prosecution case.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 12.04.2021, charge-sheet has been submitted in the case, petitioner is a person with clean antecedent and the victim has not supported the prosecution case, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.



5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI in connection with Pupri (Choraut) P.S. Case No. 49 of 2018.

(Satyavrat Verma, J)

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