

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48921 of 2022

Arising Out of PS. Case No.-152 Year-2021 Thana- PHENHARA District- East Champaran

Chandeshwar Paswan Son of Mahadev Paswan R/O Village - Kalu Pakar,
Ward No.- 3, P.S.- Fenhara, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aparna Kumari Daughter of Satish Chandra Srivastava R/o Village - Kalu Pakar, P.S.- Fenhara, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Paswan, Adv.
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-12-2022 Heard Mr. Dharmendra Kumar Paswan, learned

Advocate for the petitioner and learned Additional Public

Prosecutor for the State.

The petitioner seeks bail in connection with Fenhara
P.S. Case No. 152 of 2021 dated 13.11.2021 instituted for the
offences under Sections 447, 448, 323, 379, 354B, 376 and
511/34 of the Indian Penal Code.

The accusation against the petitioner is that he along
with 50 others entered the house of the Informant and
misbehaved with her mother. Later, it is alleged that the co-
accused Rupesh Paswan outraged the modesty of the Informant.

The learned counsel for the petitioner has submitted
that there is something more than what meets the eye in the
F.I.R. There was no reason for so many persons to have entered



the house of the Informant.

The allegation in the F.I.R. that one of the accused person put vermilion on the forehead of the Informant makes it look like a case where there was forcible marriage.

Be that as it may, nothing specific has been alleged against the petitioner/Chandeshwar Paswan who stands on similar footing as one Mithu Ram @ Mithu Kumar Ram who has been granted bail by a Bench of this Court on 17.05.2022 passed in Cr. Misc. No. 9360 of 2022.

The petitioner is in custody since 13.04.2022.

Regard being had to the aforestated facts, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VII- cum – Special Judge, POCSO Act, East Champaran, Motihari in connection with Fenhara P.S. Case No. 152 of 2021.

(Ashutosh Kumar, J)

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