

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2860 of 2023

Arising Out of PS. Case No.-340 Year-2022 Thana- LAURIA District- West Champaran

SHESHNATH PASWAN SON OF BHIKHARI PASWAN R/O VILLAGE-
KHUTIYA INDU BISHAMBHARPUR, P.S.- MAJHAULIYA, DISTRICT-
WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner instituted for the offence under Sections
366(A) of the Indian Penal Code.

As per allegation in the FIR, three accused persons
including the petitioner have abducted the minor daughter (12
years) of the informant from his house in his absence.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. There is love affair between the petitioner and daughter
of the informant. Statement of the victim girl was recorded u/s
164 Cr.P.C. in which she has stated that out of her own sweet



will, she has eloped from her house and went to Delhi and performed marriage with the petitioner. She has not raised her finger against the petitioner for any overt act even of physical relationship. Petitioner has no criminal antecedent and he is languishing in judicial custody since 10.11.2022

Learned APP appearing for the State has opposed the prayer of Bail and submitted that as per medical report, age of victim girl has been assessed by the doctor between 14-16 years.

Having heard learned counsel for the parties and in the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. He will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VII-cum-Special Judge POCSO, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 340 of 2022.

(Sunil Kumar Panwar, J)

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