

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8018 of 2023

Arising Out of PS. Case No.-527 Year-2022 Thana- BELAGANJ District- Gaya

RAJA PASWAN @ RAJA KUMAR SON OF RAMAUTAR PASWAN R/O
VILLAGE- KENAR BAZAR, P.S.- WAZIRGANJ, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 366A/34 of the Indian Penal Code and Section 8 of the POCSO Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is in custody since 27.09.2022.

The informant alleges that his minor sister aged about 15 years had gone outside the house on 20.06.2022 at 11:00 a.m. informing his mother that she is going to attend the call of nature but did not return home and on search the informant came to know that petitioner with the aid of other accused persons had eloped with his sister.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that from the tenor of the allegation as alleged in the FIR, it would



manifest that petitioner and the victim were known to each other and the victim voluntarily had accompanied the petitioner. It is next submitted that the date of occurrence is 20.09.2022 and the FIR has been instituted on 26.09.2022 i.e. after a delay of six days of the occurrence without any plausible explanation which creates doubt with regard to the veracity of the allegation as alleged in the FIR. Learned counsel also submits that the statement of the victim was recorded under Section 164 Cr.P.C. where she disclosed her age 18 years. Learned counsel further submits that it has become rampant to institute false cases when boy and girl on their own sweetwill elope.

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

Considering the submission aforesaid, the petitioner, above named, is directed to be released 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 Court below where the case is pending in connection with Belaganj P.S. Case No. 527 of 2022.

(Satyavrat Verma, J)

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