

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14196 of 2023

Arising Out of PS. Case No.-281 Year-2022 Thana- BIRPUR District- Supaul

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RUPESH KUMAR PASWAN @ RUPESH KUMAR S/o Maheshwari
Paswan R/o village- Bhagwanpur ward no. 4, Kochgama, P.S.- Birpur, Distt-
Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Birpur P.S. Case No.- 281 of 2022
registered for the offences punishable under Sections 341, 323,
366, 504, 506, 34 of the Indian Penal Code. He has got no
criminal antecedent.

Let the affidavit of the sister of the Informant (the
victim lady) filed in the court of learned District and Sessions
Judge, Supaul be taken on record.

As per the prosecution story, on 23.08.2022 at about
03:00A.M. petitioner along with several other accused persons
started assaulting the son of the informant's sister when she
came to her son's rescue, they tied her mouth with cloth and



dragged her in a Scorpio and took her away. When the informant came there to rescue his sister, they assaulted him as well.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the informant's sister has taken divorce from her husband and thereafter left her house to live with this petitioner and presently they are living together.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein it is submitted that the victim girl is 25 years old and as per her affidavit which has been produced before this Court, she has taken divorce from her husband and thereafter left her house to live with this petitioner and presently they are living together, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named shall be enlarged on bail in connection with Birpur P.S. Case No.- 281 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur, subject to the



conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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