

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19723 of 2023

Arising Out of PS. Case No.-129 Year-2022 Thana- JAYNAGAR District- Madhubani

Sachin Paswan, S/O Dayaram Paswan, R/O Village- Barhi, Ward No.-2, P.S-
Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant of regular bail in connection with Jaynagar P.S. Case No. 129 of 2022 dated 03.05.2022 registered for the offences punishable u/ss 363, 366(A)/34 of the Indian Penal Code and u/ss 8 and 12 of the POCSO Act.

As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant for the purpose of marriage while she went to attend call of nature. The



informant went to the house of the petitioner, the co-accused persons abused and refused to return her daughter.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The victim in her statement recorded under Section 164 of the Cr.P.C. has stated that she went with the petitioner willfully and solemnized marriage with him. There was love affair between the victim and the petitioner. The medical board assessed the age of the victim in between 16 to 17 ½ years and the doctor has opined that there is no medical evidence of sexual assault. Learned counsel has further submitted that the victim was not force to any illicit relation with the another person. The victim in her statement recorded under Section 161 of the Cr.P.C. has denied the allegation of kidnapping. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.11.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Jaynagar P.S. Case No. 129 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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