

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19504 of 2023

Arising Out of PS. Case No.-71 Year-2020 Thana- UJIYARPUR District- Samastipur

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Dinesh Paswan Son Of Ranjeet Paswan @ Amardeep Paswan @ Amarjit Paswan R/O Village - Ishapur Simri, P.S.- Vidyapatinagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has prayed for bail in connection with Ujiyarpur P.S. Case No. 71 of 2020 instituted for the offence under Sections 363, 366, 366(a) and 34 of the Indian Penal Code.

As per the FIR, the allegation against the petitioner along with other co-accused persons is that when the daughter of the informant who is aged about 16 years went to attend call of nature, in the meantime, they kidnapped the daughter of the informant for the purpose of marriage. It is further alleged that petitioner forcefully solemnized marriage with the informant's minor daughter.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this present case. It is further submitted that there is delay of 5 days in lodging the FIR. It is also submitted that a statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 15.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the victim was recovered and her statement was recorded under Section 164 of the Cr.P.C, in which she stated that the petitioner on the point of knife, solemnized marriage with her and further he established physical relationship with her forcefully. It is also submitted that the victim is minor who is aged about 16 years.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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