

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21489 of 2022

Arising Out of PS. Case No.-7 Year-2022 Thana- CHANDRAMANDI District- Jamui

=====

VIJAY PASWAN S/o Ganesh Paswan R/o Village- Gharwason, P.S.-
Chandramandi, District- Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.A.G.

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 12-01-2023 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with
Chandramandih P.S. Case No. 07 of 2022 registered for the
offences punishable under Sections 366/34 of the Indian Penal
Code.

As per prosecution case, the informant after taking
meal went to sleep in her room and her daughter-in-law also
went to her room. It is alleged that when the informant woke,
she did not see her daughter-in-law then she got information that
one Vijay Paswan had threatened to kidnap her daughter-in-law.
On the said information the informant submitted written



application.

Learned counsel for the petitioner submits that petitioner is in custody since 19.01.2022. Petitioner bears no criminal antecedent. Learned counsel further submits that the date of occurrence is 13.01.2022 but the F.I.R. has been lodged on 16.01.2022 without any explanation of delay. Petitioner is quite innocent and has committed no offence as alleged in the F.I.R. .

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that there is a direct allegation against the petitioner and victim in her statement recorded under Section 164 of the Cr.P.C. has stated that present petitioner forcibly took her from her matrimonial house. In para 21 of the case diary, victim stated in her statement that on 12.01.2022 the victim went to ease herself then Vijay Paswan took her forcibly to Jamua Giridih and kept her in a room where Vijay Paswan forcibly made physical relation.

Considering the facts and circumstances of the case, nature of allegation against the petitioner coupled with statement of victim recorded under Section 164 of the Cr.P.C., I am not inclined to grant bail to the present petitioner.



Accordingly, prayer for bail of the present petitioner stands rejected.

However, if there is no substantial progress in trial within one year from the date of receipt of the order the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

amitkr/-

U		T	
---	--	---	--

