

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25235 of 2023

Arising Out of PS. Case No.-292 Year-2022 Thana- DESARI District- Vaishali

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RAUSHAN KUMAR PASWAN Son of Sakaldeo Paswan R/o Village -
Sultanpur, P.S.- Desari, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-07-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection
with Desari PS Case No. 292 / 2022 dated: 18-07-2022
registered under Section 363 / 365 of the IPC.

3. As per the prosecution case, the co-accused /
Gautam Kumar Paswan along with other co-accused persons,
including the petitioner, abducted the daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely
because he happens to be the brother of the co-accused /
Gautam Kumar Paswan, with whom the informant's daughter
was having love affair and both have performed marriage. The
victim girl is major about 21 years of age and the petitioner has
got no criminal antecedent.



5. On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits that the co-accused / Gautam Kumar Paswan with the help of the petitioner and other accused persons abducted the daughter of the informant and solemnized marriage forcibly, which would be evident from the statement of the victim girl recorded under Section 164 Cr.P.C. and the anticipatory bail application of the co-accused / Gautam Kumar Paswan has been rejected by a Bench of this Court in Cr. Misc. No. 14667 / 2023.

6. Regard being had to the submission made by the parties, taking into consideration the general and omnibus allegation against the petitioner, the fact that petitioner is the brother of the co-accused / Gautam Kumar Paswan and from perusal of the aforesaid order passed by this Court rejecting the bail application of the co-accused: Gautam Kumar Paswan it transpires that the victim girl has stated against Gautam Kumar Paswan, who has solemnized marriage with the victim girl, I am inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with



two sureties of the like amount each to the satisfaction of
C.J.M., Vaishali at Hajipur in connection with Desari PS Case
No. 292 / 2022 subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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