

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30867 of 2023

Arising Out of PS. Case No.-573 Year-2018 Thana- BRAHMPUR District- Buxar

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1. Binay Paswan Son Of Late Sri Bhagwan Paswan Resident Of Village - Brahampur, P.S. - Brahampur, Distt. - Buxar, Bihar
 2. Sewai Paswan @ Sewai @ Sonu Paswan @ Sawai Paswan Son Of Late Sipahi Paswan Resident Of Village - Brahampur, P.S. - Brahampur, Distt. - Buxar, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 363, 366(A) of the Indian Penal Code.

The prosecution case in nutshell is that informant's daughter went to school but did not return. It is further alleged that informant has strong suspicion that petitioners along with other co-accused persons have enticed away her daughter.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. From perusal of statement of victim, recorded under Section 164 of Cr.P.C., it appears that victim has not whispered about the complicity of petitioner in her abduction. She has stated that co-accused Manju Devi offered her intoxicated drink and after consumption of which, the victim became unconscious. Thereafter, she sold her to Rajasthan. There is no direct material evidence against the petitioners in the abduction of informant's daughter. It is further submitted that good sense has been prevailed between the parties. Moreover, the petitioners are languishing in judicial custody since 17.03.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody,



this Court is inclined to enlarge the petitioner on bail.

The above named petitioner is directed to be enlarged on bail in connection with Brahmpur P.S. Case No. 573 of 2018 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar.

(Sunil Kumar Panwar, J)

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