

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36018 of 2022

Arising Out of PS. Case No.-124 Year-2022 Thana- BARBIGHA District- Sheikhpura

GAUTAM PASWAN SON OF SAGAR PASWAN R/O VILLAGE-
KEWALBIGHA, P.O.- BELAN, P.S.- BARBIGHA, DISTRICT-
SAIKHPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 366A and 34 of the Indian Penal Code and section 8 of the POCSO Act.

As per the prosecution case, the informant states that in the morning he learnt about his daughter having been taken away by the petitioner and one another.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The daughter of the informant returned and her statement was recorded under section 164 Cr.P.C. wherein she described herself to be aged 18 years old. She further states that she went out of her own volition along with the petitioner for a trip to



Jaipur. They did not have any plans of marriage. As a result of the location of her mobile phone, her location must have been discovered and her uncle reached there and brought her back. The petitioner is in custody since 3.4.2022 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of petitioner, the contents of the statement of the daughter of the informant under section 164 Cr.P.C., the petitioner being in custody for 9 months since 3.4.2022 and investigation in the case having concluded, the petitioner is directed to be enlarged on bail in connection with Barbigha P.S. Case no. 124 of 2022 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 VI Addl. District & Sessions Judge, Saikhpura.

(Partha Sarthy, J)

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