

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53008 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- BASANHI District- Saharsa

1. Rajdeep Paswan Son Of Sadhu Saran Paswan @ Sadhusharan Paswan Resident Of Village-Agma Ward No.-7, P.S.-Basnahi, District-Saharsa.
2. Sonamani Devi @ Sonmani Devi Wife Of Rajdeep Paswan Resident Of Village-Agma Ward No.-7, P.S.-Basnahi, District-Saharsa.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Amarnath Jha, Advocate
For the Opposite Party : Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 08-11-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 366A, 504, 323/34 of the Indian Penal Code and sections 4 and 18 of the POCSO Act.

3. As per the prosecution case, these petitioners along with other accused persons kidnapped minor daughter of the informant for the purpose of marriage.

4. It is submitted on behalf of the petitioners that from perusal of the FIR it is evident that there is no allegation of commission of kidnapping against these petitioners rather they happen to be parents of co-accused Ankit Kumar who is alleged to have kidnapped the victim. F.I.R. has been lodged after inordinate delay without any explanation which renders the entire prosecution case doubtful. Petitioners claim clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of



arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VI cum Special Judge, POCSO Act, Saharsa in Basnahi Police Station Case No. 77 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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