

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53715 of 2022

Arising Out of PS. Case No.-244 Year-2021 Thana- KANTI District- Muzaffarpur

Ram Pravesh Paswan @ Ram Parvesh Paswan Son of Anup Paswan Resident
of Village - Kanti Tiwary Tola, P.s.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 366A, 363, 354B, 504 and
506 of the Indian Penal Code.

According to prosecution case, all the accused persons
including the petitioner abused and assaulted the informant and
forcibly took away her daughter in Bolero vehicle.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that in fact,
the petitioner and the victim was in love and the allegation as
alleged in the F.I.R. is false and fabricated. He further submits



that the petitioner and the victim has performed the marriage and they are living as husband and wife.

Learned counsel for the petitioner also submits that the statement of the victim was recorded under Section 164 of the Cr.P.C. in which she has categorically stated that she has performed the marriage with the petitioner and she is living in the house of the petitioner and she is blessed with two children. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 19.04.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Kanti (Muzaffarpur) P.S. Case No. 244 of 2021, subject to the following conditions:-

1. One of the bailor shall be the victim, namely, Priti Kumari i.e. wife of the petitioner.
2. Petitioner shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

3. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

4. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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