

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55683 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- MAHILA P.S District- West Champaran

RAJESH PASWAN son of Late Rampujan Paswan Village- Sudama Nagar
Ps- Bairiya Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujeet Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for regular bail has been
filed by the petitioner registered for the offence punishable
under Sections 420, 376, 341, 323, 353, 504, 506/34 of the
Indian Penal Code.

3. As per allegation in the FIR, co-accused Jhunna
Kumar Paswan had established physical relationship with the
married informant and later on he performed married with
informant. It is further alleged that after some days, petitioner
marriage was fixed elsewhere and he, his mother and petitioner
assaulted the informant and ousted her from their house.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. It is a case of love affair followed by



consensual physical relationship between co-accused Jhunna Paswan and the informant. The petitioner is brother-in-law of the co-accused Jhunna Paswan and no any specific over-act attributed against him. Moreover, main accused Jhunna Paswan has already been enlarged on bail granted by this court vide order dt. 22.9.2023 passed in Cr. Misc. No. 58692 of 2023. The petitioner has got no criminal antecedent and languishing in custody since 23.5.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bettiah, West Champaran in connection with Bettiah Mahila P.S. Case No. 28 of 2023.

(Sunil Kumar Panwar, J)

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