

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55158 of 2022

Arising Out of PS. Case No.-162 Year-2021 Thana- PANDAUL District- Madhubani

Shyam Kumar Paswan @ Shyam Paswan Son of Baidya Nath Paswan @
Baidyanath Paswan, R/O Village- Salempur, P.S.- Pandaul, Distt.- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudhir Karn S/o Late Ganesh Karn, Resident of village- Salempur, P.S.
Pandaul, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 05-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Pandaul P.S. Case No. 162 of 2021 corresponding to G.R. No.
1477 of 2021 dated 06.08.2021 registered for the offences
punishable under Sections 363, 366(A), 34 of the Indian Penal
Code, Section 8 of POCSO Act and Sections 9 and 10 of Child
Marriage Prohibition Act.

As per the prosecution, the informant's daughter was
kidnapped/abducted by this petitioner with malice intention with
the help of other accused persons.

The main submissions advanced by the learned
counsel for the petitioner are that the petitioner has been



languishing in jail since 22.06.2022 and the so-called victim has been recovered and she has recorded her statement before Judicial Magistrate in which she has not supported the allegation for the FIR and accepted her matrimonial relationship with this petitioner and she revealed her age as 19 years before the Judicial Magistrate. Further submission is that from the wedlock between the petitioner and the so-called victim one male child has taken birth and both the parties have filed compromise petition before the trial court.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts as stated above, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner 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 concerned Court in connection with Pandaul P.S. Case No. 162 of 2021.

(Shailendra Singh, J)

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