

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58811 of 2022

Arising Out of PS. Case No.-264 Year-2021 Thana- BAJPATTI District- Sitamarhi

Chandra Kishore Paswan Son Of Late Ramdeo Paswan, R/O Village-
Harpurwa, Ward No.8, P.S.- Bajpatti, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-02-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bajpatti P.S. Case No. 264 of 2021 lodged under Sections 363
and 366A of the I.P.C.

As per prosecution, the informant has disclosed that
her minor daughter was kidnapped by four named accused
persons including the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the alleged victim girl has been recovered and she
has narrated her statement under Section 164 of Cr.P.C. and has



not whispered anything against the present petitioner rather she has made specific allegation against Saroj Paswan, Manoj Paswan and Shambhu Paswan. Counsel further submits that name of the present petitioner has inserted in the F.I.R. only due to the reason that he is father of Saroj and Manoj. Counsel further submits that antecedent of the petitioner is clean and he is in custody since 01.04.2022. He further submits that charge sheet has already been filed in this case and petitioner is aged about 55 years.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is specific allegation against the present petitioner. He further submits till date the other accused persons are absconding and not secure their presence in the court and therefore, the petitioner's bail may not be allowed and bail should be rejected.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J-VI-cum-Special Judge



(POCSO), Sitamarhi in connection with Bajpatti P.S. Case No. 264 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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