

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61729 of 2023**

Arising Out of PS. Case No.-200 Year-2022 Thana- BHAIKAVSHTHAN District-
Madhubani

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HARI NARAYAN PASWAN S/O BINDESHWAR PASWAN RESIDENT OF
WARD NO. 7, NAGAR PANCHAYAT NIRMALI, PS- NIRMALI, DIST-
SUPAUL

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uttam Sahu

For the Opposite Party/s : Mr. Ram Naresh Ray

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 17-10-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 9/10 of Child Marriage Protection Act.

3. Allegedly, the informant who is posted as SI at Bhairavasthan police station stated that Bhairavasthan P.S. Case No.131 of 2021 was instituted u/s 363, 366 IPC against one Gauri Shankar Paswan for kidnapping daughter-in-law of the informant and the present informant was the IO of that case and he submitted charge sheet against Gauri Shankar Paswan and during the course of investigation it surfaced that kidnapped girl was married to one Prabhash Paswan in the month of May 2019 and at that time she was minor. Informant also alleged that his



senior officers directed him to take action against both the sides who had conducted child marriage. Therefore, the petitioner, who is the father of the victim girl has been made accused.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He submits that his daughter, who was aged about 16 years 6 months at the time of occurrence married to Prabhash Paswan and the same marriage was opposed by the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in



connection with Bhairavasthan P.S. Case No.200 of 2022,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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