

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63807 of 2023

Arising Out of PS. Case No.-115 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

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Vinay Kumar Paswan, Son Of Vijay Paswan @ Vijay Shankar Prasad
Resident Of Village- Puraini Khurd, P.S.- Rajpur, Distt- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Buxar Muffasil P.S. Case No. 115 of 2019, lodged on
24.04.2019 under Sections 366(A) of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 7 named accused persons including the present
petitioner with an allegation of kidnapping the informant's
daughter for the purpose of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that vide order dated 10.10.2023, the statement of
the victim girl under section 164 Cr.P.C. as well as case diary
has been called for.



5. Learned counsel for the petitioner further submits that the antecedent of the petitioner is clean and he is in custody since 03.06.2023.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. It appears from the statement of under section 164 Cr.P.C. that the alleged victim girl aged about 21 years has not made allegation against the petitioner and submits that in lieu of love, she has left the house with the petitioner and she also admits that no force has been imposed upon her.

8. 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 Additional Sessions Judge-VI-cum-Special Court, POCSO Act, Buxar in connection with Buxar Muffasil P.S. Case No. 115 of 2019, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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