

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69700 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- SAKSOHRA District- Patna

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Dilip Kumar @ Rammurat Kumar Paswan, Son of Loha Paswan, Resident of
Village Andauli, P.S.-Saksohara, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-11-2023 Heard Mr. Suraj Kumar, learned counsel for the

petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Saksohara P.S. Case No. 14 of 2023 registered for the
offences punishable under Sections 323, 341, 307, 366A and
504/34 of the Indian Penal Code.

3. Allegedly, co-accused Kundan Kumar Paswan and
others came to the house of the informant and forcefully tried to
take away the daughter of the informant. It is further alleged that
on protest being made, the co-accused persons assaulted the
informant and while the informant was being taken to the
hospital, this petitioner was present there but he did not protest
the act of the accused persons leading to the suspicion of
complicity of the petitioner in the present crime.



4. Learned counsel for the petitioner submits that so far the allegation against the petitioner is concerned, apparently, no overt act has been alleged, and as such, even assuming the case to be true, no case is made out, much less, under Sections 323, 341, 307, 366A and 504/34 of the Indian Penal Code. That apart, the victim girl had herself come back to her home and her statement was recorded under Section 164 CrPC, wherein she has stated that on her own volition, she had left the house and went to the place of her aunt. He next submits that the petitioner bears fair antecedent and has no connection with the present crime.

5. On the other hand, learned counsel for the State opposes the prayer for pre-arrest bail of the petitioner.

6. Having regard to the submissions made on behalf of the parties and taking note of the statement of the victim recorded under Section 164 CrPC as also the allegation levelled in the FIR, coupled with the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class,



Barh, Patna in connection with Saksohara P.S. Case No. 14 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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