

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.133 of 2023

Arising Out of PS. Case No.-199 Year-2022 Thana- BIKRAMGANJ District- Rohtas

1. Shashi Paswan @ Shashi Prakash Paswan, Son of Shiv Kumar Paswan, Resident of Village - Jamorhi, Police Station - Bikramganj, District - Rohtas at Sasaram.
2. Aaditya Paswan, Son of Shiv Kumar Paswan, Resident of Village - Jamorhi, Police Station - Bikramganj, District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-05-2023 At the outset, learned counsel for the petitioner seeks permission to withdraw this anticipatory bail application with regard to petitioner No. 1.

Permission is granted.

This anticipatory bail application with regard to petitioner No. 1 namely, Shashi Paswan @ Shashi Prakash Paswan is dismissed as withdrawn.

Heard the parties.

Petitioner No. 2 apprehends arrest in a case registered for the offences punishable under Sections 363, 366(A), 376, 120(B) of Indian Penal Code and Section 4/6 of the Protection of Children from Sexual Offences Act.

As per prosecution case, on the alleged date and time of occurrence, while daughter of the informant had gone outside



for nature's call, co-accused Vikash Paswan kidnapped her. Petitioner is alleged to have facilitated the offence.

Learned counsel appearing for the petitioner submits that he is innocent and has falsely been implicated in this case. He next submits that specific allegation of kidnapping the victim is against co-accused Vikash Paswan. Moreover, the victim in her statement recorded under Section 164 of Cr.P.C. has not named this petitioner. Petitioner has got clean antecedent.

Considering the statement recorded under Section 164 of Cr.P.C., let the above named petitioner No. 2 in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Bikramganj, Rohtas at Sasaram in connection with Bikramganj P. S. Case No. 199 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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