

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7398 of 2024

Arising Out of PS. Case No.-313 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Sanjeet Paswan @ Sanjeet Kumar @ Sanjeet Kumar Paswan Son Of Kesho
Paswan Mohalla -BARI Eghu Ward No 45 Ps- Muffasil District
-BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmod Kumar

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-03-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in connection
with Muffasil Begusarai P.S. Case No.313/2023, G.R.
No.1922/2023, registered for the offence punishable under
Section 366(A) of the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and being relative of
Amarjeet Kumar has been falsely implicated in the present case
by the informant alleging that the accused persons including the
petitioner were instrumental in kidnapping of his minor
daughter. It is further submitted that the allegation against the
petitioner is general and omnibus in nature and there is a delay



of 11 days in instituting the F.I.R. It is further submitted that the victim and Amarjeet were in love and thus they eloped which perhaps explains why the F.I.R. came to be instituted after a delay of 11 days as the informant and his family members were deliberating whether to institute or not to institute an F.I.R. as they were aware that the victim has left on her own volition. It is further submitted that the statement of the victim was recorded under section 164 of the Cr.P.C., wherein she has not even whispered about the role of the petitioner in the occurrence.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the statement of the victim recorded under section 164 Cr.P.C. is not on record.

5. Considering the submissions made by the learned APP, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (POCSO Act)-cum-6th Additional Sessions Judge, Begusarai in connection with Muffasil Begusarai P.S. Case No.313/2023, subject to the conditions as



laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that the learned trial court before accepting the bail bond of the petitioner shall verify the statement of the victim recorded under section 164 Cr.P.C. and in the event if it is found that victim has alleged about the role of the petitioner in the occurrence in that event the present order shall not be given effect to but if there is no allegation against the petitioner in the statement of the victim recorded under section 164 Cr.P.C. then the bail bond shall be accepted forthwith.

(Satyavrat Verma, J)

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