

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15071 of 2024

Arising Out of PS. Case No.-312 Year-2019 Thana- NAYA RAM NAGAR District- Munger

Gautam Paswan @ Gautam Kumar Paswan son of Late Amrudi Paswan @
Late Rambahadur Paswan Village-Halimpur PS- Naya Ram Nagar Dist-
Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Puja Kumari, Advocate
For the State : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2024 Heard Mrs. Puja Kumari, learned counsel for the

petitioner and Mrs. Anita Kumari, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Naya Ram Nagar P.S. Case No. 312 of 2019, F.I.R. dated 14.12.2019 for the offences punishable under Sections 366(A) and 34 of the Indian Penal Code.

3. According to prosecution case, there is allegation against the petitioner that in collusion with Raja Kumar he misguided the sister of the informant and left out.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that the



petitioner is brother of the co-accused person, namely, Raja Kumar. He further submits that the brother of the petitioner and victim girl was in love with each other. He further submits that the victim girl was recovered and now the family members of the victim has performed the marriage of the victim with one Badal Sah and after some time both the parties have filed a compromise petition before the learned Court below on 04.12.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner having clean antecedent and he has been made accused only on the ground that he is brother of the co-accused person, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Munger in connection with Naya Ram Nagar P.S. Case No. 312 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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