

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17655 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- BENIPATTI District- Madhubani

1. Pahal Paswan @ Prahlad Paswan S/O- Late Bavan Paswan R/O- Village- Bhagwatipur, P.S.- Benipatti, Dist.- Madhubani.
2. Sabitri Devi @ Jabitri Devi W/O- Pahal Paswan @ Prahlad Paswan R/O- Village- Bhagwatipur, P.S.- Benipatti, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 14-03-2024 Heard Mr. Ravi Prakash, learned counsel appearing on behalf of the petitioners and Mr. Nawal Kishore Prasad, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Benipatti P.S. Case No.194 of 2023 registered under Sections 363, 366(A) and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, one co-accused Sant Paswan had kidnapped niece of the informant, who used to live with the informant.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and they



have falsely been implicated in the present case. Learned further submits that the petitioners are the father and the mother of the co-accused Sant Paswan and they had not cooperated in the alleged kidnapping of the niece of the informant.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that general and omnibus allegation has been made against the petitioners, I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

7. The District Court is directed to release the petitioners on anticipatory bail, in the event of their 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) each with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate - Ist, Benipatti, Madhubani in connection with Benipatti P.S. Case No.194 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the



petitioner, as what has been stated in paragraph no. 3, this order
will lose its force automatically.

(Purnendu Singh, J.)

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