

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19028 of 2024

Arising Out of PS. Case No.-683 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

1. SITARAM PASWAN S/O LATE MAHENDRA PASWAN R/O VILLAGE-BASATPUR, P.S- RUNNISAIDPUR, DISTT.- SITAMARHI.
2. NARAD PASWAN S/O LATE MAHENDRA PASWAN R/O VILLAGE-BASATPUR, P.S- RUNNISAIDPUR, DISTT.- SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Adv.
For the State : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-04-2024 Heard Mr. Uday Kumar, learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 312, 366A, 370, 372, 373, 376, 120B, 317, 350, 503 of the IPC and sections 75, 81, 87 of the Juvenile Justice Act, sections 5 of Prevention of Immoral Traffic Act, sections 9, 11 of Child Marriage Restrain Act, section 6 of the POCSO Act and section 6 of the Pre-conception and Prenatal Diagnostic Techniques Act.

3. As per the prosecution case, the informant's parents died in the childhood, thereafter, she began to live with her '*mausi*'



who sold her to one Subodh Paswan and he sexually exploited her, due to which, she became pregnant. Thereafter, Subodh Paswan got her pregnancy aborted and other family members of Subodh tortured her and assisted in her miscarriage. She again got pregnant and this time, she was ousted from the house of Subodh Paswan and his family members. Allegation against the petitioners is that during the stay of the victim in the house of Subodh Paswan, they forced her to do all household work and was exploited physically.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. There is no general and omnibus allegation against the petitioners and the specific allegation is against the co-accused Subodh Paswan, who has been granted regular bail by this Court and other co-accused namely Sanjha Devi and Sita Devi have been granted anticipatory bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.55331/2021 dated 24.02.2022. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since similarly situated co-accused have been granted bail, let



the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Runnisaidpur P.S. Case No.683 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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