

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29862 of 2024

Arising Out of PS. Case No.-345 Year-2023 Thana- TRIVENIGANJ District- Supaul

1. Lakhan Paswan son of Late Nathuni Paswan Resident of Village-Laxmipur, Ps- Triveniganj Dist- Supaul
2. Sonu Paswan son of Lakhan Paswan Resident of Village-Laxmipur, Ps- Triveniganj Dist- Supaul
3. Chhotu Paswan son of Lakhan Paswan Resident of Village-Laxmipur, Ps- Triveniganj Dist- Supaul
4. Puja Devi wife of Chhotu Paswan Resident of Village-Laxmipur, Ps- Triveniganj Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2024

Heard the parties.

2. The petitioners are apprehending their arrest in connection with Triveniganj P.S. Case No. 345 of 2023 for the offence under Sections 366, 366(A) and 34 of the I.P.C. lodged on 20.08.2023 by the informant, Deepnarayan Paswan.

3. As per the prosecution story, the informant alleged that her daughter (minor) was taken away by Raushan Kumar and Chhotu Paswan and when this was complained, the petitioners herein who are family members assaulted. Accordingly, the complaint followed by the FIR.

4. Learned counsel for the petitioners submit that the girl herself came to the police station subsequently and her



statement under Section 164 of the Cr.P.C was recorded on 24.08.2023 in which, she is having relationship with the son of the petitioner no. 1, Raushan Kumar. He further submits that in any case, the allegation of taking away the girl is attributed to Raushan Kumar and Chhotu Paswan (the petitioner no. 3) and they are the family members inasmuch as father, brothers and married sister.

5. Learned APP opposes the prayer stating that the girl was minor.

6. Though the girl was minor, she has made a statement under Section 164 of the Cr.P.C. which founds incorporated in the observation of the learned Sessions Judge also of her being in relationship with Raushan Kumar.

7. In the aforesaid background, while the anticipatory bail application of the petitioner no. 3 (Chhotu Paswan) is rejected, those of petitioner nos. 1, 2 and 4 namely Lakhan Paswan, Sonu Paswan and Puja Devi are allowed.

8. Let the petitioner nos. 1, 2 and 4 namely Lakhan Paswan, Sonu Paswan and Puja Devi be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount



each to the satisfaction of learned ACJM-I, Supaul in connection with Triveniganj P.S. Case No. 345 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor of the petitioner nos. 1, 2 and 4 should be the family member of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioner nos. 1, 2 and 4 shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner nos. 1, 2 and 4 shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner nos. 1, 2 and 4 shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

