

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36008 of 2024**

Arising Out of PS. Case No.-356 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Dina Paswan S/o Late Saryug Paswan R/v - homeless chauk, khabra road, p.s.  
- kazimohamadpur, Distt. - muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kumari Sujata Sinha

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

3      31-07-2024                      Heard learned counsel appearing on behalf  
of the parties.

2.              The petitioner seeks bail in connection with  
Bochacha P.S. Case No.356 of 2023 registered for the offence  
under Sections 363, 366/34 of the Indian Penal Code.

3.              Allegation against the petitioner is to have  
kidnapped the wife of the informant for the purpose of sexual  
intercourse along with other co-accused persons.

4.              Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner has falsely been  
implicated in the present case. It is submitted that there is land  
dispute in between the parties. It is submitted that allegation as  
regard to kidnapping against this petitioner is general and



omnibus rather the allegation of kidnapping has been leveled against all the named accused persons. It is submitted that there is delay of 25 days in lodging FIR as the occurrence has taken place on 11.06.2023 and the FIR has been registered on 07.07.2023, without having any explanation. It is also submitted that it appears from perusal of statement of victim as recorded under Section 164 of the Cr.P.C. that she has not levelled any allegation as regard to sexual assault or outraging modesty as well as kidnapping against this petitioner and rather allegation as regard to sexual assault or outraging modesty as well as kidnapping has been levelled against other co-accused person, namely, Ranjit Paswan, who made physical relation forcefully with the victim or kept confined in a rented room at Vishakhapatnam. It is submitted that the victim is aged about 38 years and no medical report found any injury upon the victim. It is further submitted that petitioner is in custody since 18.01.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner and as per statement of victim as recorded under Section 164 of the



Cr.P.C., no allegation as regard to kidnapping and sexual assault has been levelled against this petitioner, let the petitioner, above named, is directed to be released on bail in connection with Bochacha P.S. Case No.356 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIV, Muzaffarpur.

**(Ramesh Chand Malviya, J)**

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