

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35627 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- KHUDWA District- Aurangabad

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1. Kuljan Paswan, S/O Tapeswar Paswan, R/O Village- Chanda, P.S- Khudwan, Distt.- Aurangabad.
 2. Kiran Devi, W/O Kuljan Paswan, R/O Village- Chanda, P.S- Khudwan, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Khudwan P.S. Case No. 01 of 2024, registered on 06.01.2024 for the offences under Sections 366(a) and 34 of the Indian Penal Code.

3. As per prosecution case, the minor sister of the informant was enticed away by co-accused Pintu Paswan with intention of marrying her. The informant alleged that the petitioners, who are parents of co-accused Pintu Pawan, were also complicit in the said occurrence.

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



been falsely implicated this case. The allegation against the petitioners is completely vague. The FIR has been registered after delay of two days without any satisfactory explanation. Learned counsel further submits that it is a matter of love affair between the sister of the informant and co-accused Pintu Pawan who have solemnized their marriage on 28.02.2024 before the Notary Public, Aurangabad and have been residing together as husband and wife. She also claimed her age to be 19 years. The statement of the victim girl has also recorded under Section 164 of Cr.P.C. and she has not made any allegation against the petitioners. The petitioners are having clean antecedent.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioners without any substantive material and further considering the statement of the victim girl absolving the petitioners and also considering the clean antecedent of the petitioners, let the petitioners, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand



Only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Exclusive Special Judge, POCSO Act, Aurangabad/concerned court in connection with Khudwan P.S. Case No. 01 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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