

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48054 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- SHEOHAR District- Sheohar

Sani Paswan Son of Pawan Paswan Resident of Vill- Narayanpur, Ward No. 09, P.S.- Patahi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vakil Baitha S/o Vilash Baitha, Resident of village - Tajpur Ward No. 08 P S-Sheohar Dist-Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 17-12-2024 Heard learned counsel for the petitioner and learned APP for the State. None appears on behalf of the informant despite valid service of notice. Perused the case diary.

2. The petitioner seeks bail in connection with Sheohar P.S. Case No. 41 of 2024 instituted for the offences under Sections 366A/34 of the Indian Penal Code.

3. Allegation against the accused persons including the petitioner is of kidnapping the daughter of the informant.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that victim in her statement under Section 164 of the Cr.P.C. has stated no ingredients of



Section 366A of the Indian Penal Code. Learned counsel further submitted that victim left her house on her own free will. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.04.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, statement of the victim recorded under Section 164 of the Cr.P.C., as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sheohar P.S. Case No. 41 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

