

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50974 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- UDAKISHUNGANJ District- Madhepura

Amit Paswan Son of Sri Mushaharu Paswan @ Masaharu Paswan @ Masharu
Paswan R/o Village- Manjoura, Ward No.11, P.S.- Bihariganj, District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 366(A)
and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that her minor daughter, aged about 17 years, was
kidnapped by unknown accused persons on 04.02.2024 with an
intention to perform marriage.

4. Learned counsel for the petitioner submits that
petitioner, being the friend of Ramchandra Paswan, came to be
implicated. It is further submitted that the age of the victim is
assessed in between 17 to 19 years by the Doctors and the



victim was in love with Ramchandra Paswan and had eloped with him but victim came back and her statement was recorded under Section 164 Cr.P.C. wherein she disclosed her age as 16 years and stated that Ramchandra Paswan forcefully took her on his motorcycle to Saharsa railway station for getting her married and made her sit in a different bogey and himself sat in a different bogey. It is next submitted that petitioner was also with him and they deboarded at Rajasthan where she came to know that the accused persons will get her married and will earn money but she refused to marry and after roaming in Rajasthan came back with the accused persons who left her at Banmankhi railway station where she was apprehended by the police. It is also submitted that the accused did not commit any wrong with her. Learned counsel submits that from perusal of her statement recorded under Section 164 Cr.P.C., it would manifest that the same was recorded under parental pressure and the victim herself has stated that she was sitting alone in the bogey of the train but still she did not raise any alarm. The victim does not allege that accused committed any wrong with her rather stated that she roamed in Rajasthan and came back which amply demonstrates that the victim, who had reached the age of discretion, on her own left with Ramchandra Paswan and



petitioner being his friend came to be implicated.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) 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 Udakishunganj P.S. Case No. 41 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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