

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62895 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- CHANPATIA District- West Champaran

Rajan Paswan Son of Jaglal Paswan @ Jangalal Paswan Resident of
Chanpatiya, Gandhi Nagar, Ward No.-6, P.S. - Chanpatiya, Bettiah, District -
West Champaran, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Hasan Tara Khatoon Wife of Md. Ahmad Resident of Chanpatiya, Ward No.-
8, P.S. - Chanpatiya, Bettiah, District - West Champaran, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Prabhakar, Adv.

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Chanpatiya P.S. Case
No. 104 of 2024 dated 24.03.2024 registered for the offences
punishable u/ss 366A read with Section 34 of the Indian Penal
Code and Section 8 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged
to have kidnapped the minor daughter of the informant for the
purpose of marriage by enticing her.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case. Learned counsel has further submitted that the victim has been recovered by police on 24.03.2024. There was love affair between the victim and the petitioner. The victim in her statement recorded under Section 164 of the Cr.P.C. has stated that she herself left the house and went to her distant relative because her parents want to solemnize her marriage against her will and also stated that she was not kidnapped by the petitioner. It is further submitted that there is nothing on record which shows that the victim was forced or seduced to have illicit intercourse with another person. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran, Bettiah in connection with Chanpatiya P.S. Case No. 104 of 2024 with the condition :-



(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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