

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72457 of 2024

Arising Out of PS. Case No.-112 Year-2023 Thana- SHIVSAGAR District- Rohtas

Lavkush Paswan S/O Jai Hind Paswan R/O Village Madaini, Sonwarsha P.S.
Shivsagar Distt Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Chaudhary, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-10-2024 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 363, 366(A), 34 of the Indian Penal Code.

3. Allegedly, petitioner is said to have kidnapped the minor daughter of the informant on the pretext of marriage.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. The victim, in her statement recorded under Section 164 Cr.P.C., has not supported the prosecution



case and stated before the Magistrate that she herself had gone to house of her *Mausi* without informing anyone. Learned counsel further submits that after investigation, the police submitted final form against the petitioner, but the learned Court below differing with the final form took cognizance against him. It is further submitted that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since the police has submitted final form against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Shivsagar P.S. Case No. 112 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Petitioner is directed to cooperate in the trial. If the petitioner fails to appear before the learned Court below on two consecutive dates fixed in the case, the prosecution will be at



liberty to file an application for cancellation of bail bond of the
petitioner before the learned Court below.

(Anjani Kumar Sharan, J)

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