

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80091 of 2024

Arising Out of PS. Case No.-825 Year-2022 Thana- MAHUA District- Vaishali

Shiva Paswan S/o Nathuni Paswan R/o Village- Mangurahi Bhagwatpur
Taraura, PS- Mahua, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned A.P.P. for
the State

2. The petitioner apprehends his arrest in Mahua P.S. Case No. 825 of 2022 registered for the offences punishable under Sections 363 and 366/34 of the Indian Penal Code pending in the Court of learned C.J.M., Vaishali at Hajipur.

3. Petitioner is said to have enticed away the daughter of the informant.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The petitioner has been made accused merely on suspicion. It is further submitted that the petitioner and informant are neighbour and there is long standing dispute regarding the boundary due to which the petitioner has been



falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the allegation against the petitioner is very serious in nature and the victim has supported the prosecution case in her statement recorded under Section 164 Cr.P.C. Hence, the petitioner does not deserve bail.

6. Considering the facts and circumstances of case and the seriousness of the allegation, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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