

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83002 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- GOH District- Aurangabad

1. Dadeep Paswan Son Of Late Sahdeo Paswan R/O Village- Jajapur, P.S.- Goh, District- Aurangabad
2. Kusum Devi Wife Of Dadeep Paswan R/O Village- Jajapur, P.S.- Goh, District- Aurangabad
3. Suryamani Kumari @ Chhati Kumari D/O Dadeep Paswan R/O Village- Jajapur, P.S.- Goh, District- Aurangabad
4. Sudhir Kumar Son Of Dadeep Paswan R/O Village- Jajapur, P.S.- Goh, District- Aurangabad
5. Baiju Paswan @ Guddu Paswan @ Guddu Kumar @ Baiju Kumar Son Of Dadeep Paswan R/O Village- Jajapur, P.S.- Goh, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.
For the Opposite Party/s : Mr. Mohammed Arif, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366(A) of the Indian Penal Code.

3. As per the F.I.R., allegation against the petitioners is that they have kidnapped the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence as alleged. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of 18 days in filing the complaint petition without assigning any plausible and convincing reason for the said delay. The statement of the victim recorded u/s 161 and 164 of the Cr.P.C. in which the victim did not take the name of the petitioners. During the course of investigation no material has come against the petitioners. The police submitted final form against the two other co-accused i.e. Manoj Saw and Anuradha Devi. There is a compromise petition has been filed between the parties. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, there is no specific overt act against the petitioner, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned



lower Court where the case is pending/successor Court in connection with Goh P.S. Case No.48 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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