

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1823 of 2024

Arising Out of PS. Case No.-429 Year-2023 Thana- RAJGIR District- Nalanda

Krishna Paswan Son of Mahendra Paswan Resident of village - Nehusa, P.S.-
Harnaut, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 08-05-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Rajgir
P.S. Case No. 429 of 2023 instituted for the offence under
Sections 366(A) & 34 of the Indian Penal Code.

3. Prosecution case is that informant went to Malmas
fair from his house along with his cousin grandmother, aunt,
uncle and two girls aged about 16 years and 13 years on 12-08-
2023 and on the same night both the girls went missing.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 22-08-2023. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. It is submitted that there is delay of seven days in lodging of the FIR. Learned counsel for the petitioner submits that victim has not alleged any allegation against the instant petitioner in her statement recorded under Section 164 of the Cr.P.C., rather she has specifically named other accused persons. Petitioner's name has surfaced in this case only on the basis of suspicion as the mobile number from which the victim has called belongs to the petitioner, which was used by the victim for informing the incident and they have asked the wife of the informant for making call from the same phone. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with Rajgir P.S.
Case No. 429 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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