

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18520 of 2022**

Arising Out of PS. Case No.-129 Year-2019 Thana- PATORI District- Samastipur

1. Ashok Paswan S/o Dukhran Paswan R/o village- Vindgama, Mohanpur O.P., P.S.- Shahpur Patori, District- Samastipur
2. Amarnath Paswan S/o Dukhran Paswan R/o village- Vindgama, Mohanpur O.P., P.S.- Shahpur Patori, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.

For the Opposite Party/s : Mr. Raj Kishore Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      16-08-2022                      Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Shahpur Patori P.S. Case No. 129 of 2019 lodged under Sections 67-B of The Information Technology Act, 2000, under Section 4 & 8 of the Protection of Children from Sexual Offence Act, 2012 read with Section 366-A, 376 & 506 of the Indian Penal Code, 1860.

As per the F.I.R. the allegation of kidnapping of the informant alongwith allegation of outrage the modesty of the

informant and subsequently made it viral is there in the F.I.R.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He submits that no such offence as mentioned in the F.I.R. has been taken place. Learned counsel for the petitioners further submits that every allegation is general and omnibus in nature and may not be accepted. He further submits that petitioners are in custody since 14.06.2021, chargesheet has already been filed in this case and the petitioners having no criminal antecedent and ready to fulfill all the conditions as laid down by the Court.

Learned counsel for the State opposes the prayer for bail and submits that the petitioners are wrong doer, there is general and omnibus allegation against Ashok Paswan and not against Amarnath Paswan. Learned counsel for the state also submits that there is nothing specific against petitioner no.2. He further submits that there is specific allegation of kidnapping against the two accused persons, one is the petitioner no.1 and another is Laxmi Kumar @ Vikas. He further submits that the informant in her statement recorded under Section 164 of Cr.P.C. has supported the version of the F.I.R.

In the present facts and circumstances of this case and the submissions made above, let the petitioner no.2 above

named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-I, Samastipur in connection with Shahpur Patori P.S. Case No. 129 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

So far as petitioner no.1 is concerned, I am not inclined to grant bail to the petitioner no.1 and his bail application is hereby rejected.

With this observation, the bail application stands disposed off.

**(Dr. Anshuman, J.)**

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