

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5337 of 2018

Arising Out of PS. Case No.-143 Year-2017 Thana- NASRIGANJ District- Rohtas

Rahul Kumar Paswan S/o Surendra Paswan, R/o Vill.- Jina, P.S.- Rohtas,
Distt.- Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Sahay
For the Opposite Party/s : Mr. MD. ASHLAM ANSARI

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 05-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with
Nasriganj P.S. Case No. 143 of 2017 registered for the offence
punishable under Sections 366(A), 354(B), 341, 323, 504,
506/34 of the Indian Penal Code and Section 4/6 of the
POCSO Act.

Informant is the victim herself, who in her written
complaint before the Officer-in-Charge, Nasriganj P.S. has
stated that on 09.07.2017, she at about 3:00 am in the morning
along with her sister Priti Kumari had gone out near the canal
to attend the call of nature where petitioner Rahul Kumar



Paswan enticed and promised her to get married with her and took her to his house where he and Bablu Singh committed rape on her for two days and thereafter left her on 11.07.2017, and she returned to her home and on 13.07.2017 she has filed this written complaint. In her statement under Section 164 of the Cr.P.C, she has improved her version and has stated that the petitioner Rahul and Lallu both were present and kidnapped her and kept her for two days in the house and both of them raped her. The medical report does not support the allegation of rape and has also found that the girl is major. Police has submitted chargesheet under Section 366A, 376G, 341, 323, 504 and 506 of the Indian Penal Code. The statement of the father of the victim girl has been recorded during investigation in which he has stated that he did not knew where his daughter has gone although Priti Kumari his younger daughter was with informant when alleged offence was committed. It has been further submitted that the petitioner has got no criminal antecedent and is in custody since 24.07.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/-(ten thousand) with



two sureties of the like amount each to the satisfaction of
learned **ADJ-1st, Rohtas at Sasaram** in connection with
Nasriganj P.S. Case No. 143 of 2017.

(S. Kumar, J)

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