

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26413 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- BIDUPUR District- Vaishali

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Mukesh Paswan, aged about 19 years, Male, Son of Bhushan Paswan,
Resident of Village Sitalpur, Basatpur, Kakarhata, P.S. Bidupur, District
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subodh Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-04-2019 Heard both sides.

Petitioner apprehends his arrest in Bidupur P.S. Case
No.6 of 2019, registered under Section 376 of the Indian Penal
Code and under Section 8 of the POCSO Act.

The father of the victim alleged that while his
daughter was returning her house from the shop, the petitioner
dragged her to a field and put her down on the ground to outrage
her modesty but on account of screaming of the girl, the persons
who were passing through the road saved the victim.

Learned counsel for the petitioner submits that the
occurrence is said to have taken place on 03.01.2019 but the
report was given to the police station on 04.01.2019. The
petitioner is the next door neighbour of the victim. Police station



is situated just 2 or 3 Kms. away from the place of occurrence and thus inordinate delay in lodging the case speaks a volume about the false implication of the petitioner but I find that the occurrence took place in the evening that too with a minor girl. The villagers saved the minor girl from being outraged and on the next day, the information was given to the police. There is allegation that it was petitioner who made all attempt to outrage the modesty of the victim after dragging her inside bush.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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