

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26327 of 2020**

Arising Out of PS. Case No.-81 Year-2019 Thana- MEHANDIA District- Jehanabad

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RANJAN PASWAN Son of Sita Ram Paswan Resident of Village - Jithiara,  
P.S.- Paras Bigha, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Dhananjay Kumar

For the Opposite Party/s : Ms. Puspa Sinha

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      13-10-2020      As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and learned APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.



Learned counsel for the petitioner submits that Section 4 of the POCSO Act could not be mentioned in para-1 due to a typographical error.

Let Section 4 of the POCSO Act be read in para-1 of the application.

The petitioner seeks bail in Mehandia P.S. Case no.81 of 2019 instituted for the offence under Sections 366A, 376/34 of the Indian Penal Code and Section 4 of the POCSO Act.

The informant has alleged that when his daughter went to attend the call of nature, she has been abducted by the other named accused persons for solemnizing her marriage.

The counsel for the petitioner submits that the petitioner is not named in the FIR. The FIR has been lodged after considerable delay and that there is no indication of any sexual assault or offence uncovered during the course of investigation.

The learned APP draws the attention of the Court towards the statement of the victim under Section 164 Cr. P.C. Being a minor she has stated about her abduction at the



hands of the petitioner by taking his name.

Considering the rival submissions, this Court, for the present, is not inclined to allow the petitioner’s prayer for bail. Prayer for bail is rejected.

**(Madhuresh Prasad, J)**

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