

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24316 of 2021

Arising Out of PS. Case No.-103 Year-2019 Thana- LALGANJ District- Vaishali

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Sujeet Paswan, Son of Shivjee Paswan, R/O Village- Sallahpur Ward No. 1,
Nagar Panchayat Lalganj, P.S.- Lalganj, Dist.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 324 of the Indian
Penal Code and Sections 4, 6, 8, and 10 of the POCSO Act.

The prosecution case, in brief, is that on 21.03.2019 at
about 12 pm the petitioner took away the daughter of the
informant to Premganj Pokhar from nearby of her house and
tried to commit rape upon her person. He gave teeth bite upon
the cheek of the victim. When she started crying and raised the
alarm the nearby people came to the spot and he fled away.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that there is land dispute between the
parties due to which he has falsely been implicated in this case.



The petitioner is languishing in jail custody since 09.10.2020.
The petitioner has no criminal antecedent, which is mentioned in para 3 of the bail petition.

Learned APP for the State vehemently opposed the prayer for bail petition and submits that the petitioner is named in the FIR and there is specific allegation of attempting to commit rape upon the person of the victim who is aged about 8 years. In para 18 of the case diary stated before the doctor that she has sexually been assaulted.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Lalganj P.S. Case No. 103/2019 from the Court of learned Exclusive Special Court, POCSO cum A.D.J.-VI, Vaishali at Hajipur.

Accordingly, this application is dismissed.

However, Trial Court is directed to expedite the trial of the petitioner.

(Anjani Kumar Sharan, J)

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