

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39731 of 2020

Arising Out of PS. Case No.-101 Year-2020 Thana- SIKARHATTA District- Bhojpur

Umesh Paswan, Male, aged about 38 years, S/o Late Dukhan Paswan, R/o village- Diliya, P.S.- Sikarhatta, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with POCSO Case No. 67 of 2020 arising out of Sikarhatta P.S. Case No.101 of 2020 registered for the offence punishable under Section 354B of the Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act, 2012.

The prosecution story in brief is that one Krishna Singh gave his fardbeyan before the Officer-in-Charge of Sikarhatta Police Station stating inter-alia that on 21.08.2020 at about 09.00 A.M., his sister Lalsa Kumari, aged about 12 years and his daughter Riya Kumari, aged about 8 years went to canal for washing the children cloths and during the course of washing, his sister went to the orchard of Laxman Tiwari to



attend call of nature and while she was standing then Umesh Paswan came and told to the girl that he will gift 10 rupees and in exchange of the same told to do bad things behind the tree and when she objected and refused then Umesh Paswan snatched Scarf (Odhni) and thrown her on the ground and when she shouted then the villagers arrived and saved her and Umesh Paswan fled away towards south. He gave his fardbeyan as disclosed by his sister Lalsa Kumari.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that no such occurrence as alleged by the prosecution ever took place and the victim is unsound. Petitioner is in jail custody since 22.08.2020.

Learned counsel for the State submits that the victim had supported the prosecution case under Section 164 of the Cr.P.C. There is specific allegation against the petitioner of attempt to outrage the modesty of the minor victim.

In the facts and circumstances of the case, I am not inclined to enlarge the above named petitioner on bail. Accordingly, the prayer for bail of the above named petitioner in connection with POCSO Case No.67 of 2020 arising out of Sikarhatta P.S. Case No.101 of 2020 pending in the court of



learned Additional District and Sessions Judge VIth, Bhojpur at
Ara is hereby rejected at present.

(Anjani Kumar Sharan, J)

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