

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1684 of 2021

Arising Out of PS. Case No.-85 Year-2020 Thana- BARHAT District- Jamui

Manish Paswan aged about 35 years Son Of Pyare Paswan Resident Of
Village - Kajiyajor, P.S. - Barhat, District - Jamui - 811313

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr.Md. Mustaqume Alam, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Barhat Police Station Case No. 85 of 2020 registered for the offences punishable under section 376 of the Indian Penal Code and sections 4 and 8 of the POCSO Act.

As per the prosecution case, at 3 PM the informant, aged about 13 years, had gone to attend the call of nature along the bank of river. In the meantime, petitioner came there and forcibly established physical relation with her.

Learned counsel for the petitioner submits that the allegation is false as there is no corroborative material and the FIR has been lodged after lapse of three days without cogent explanation of delay. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody



since 30.6.2020.

Learned counsel for the State opposes the prayer for bail and submits that the victim in her section 164 Cr.P.C. statement has supported the prosecution case.

In view of the specific allegation against the petitioner that he forcibly committed sexual assault on the informant which has also been supported by the victim in her section 164 Cr.P.C. statement, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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