

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4805 of 2021

Arising Out of PS. Case No.-506 Year-2019 Thana- MASAUDHI District- Patna

NITISH PASWAN Son of Kamlesh Paswan Resident of Village-Bhakhra,
P.S.-Masaurhi, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Vina Rani, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-04-2021 Heard Mr. Manoj Kumar, learned counsel for the

petitioner and Ms. Vina Rani, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Masaurhi P.S. Case No. 506 of 2019 registered for the offences
punishable under Sections 363 and 366(A) of the Indian Penal
Code 1860.

The allegation against the petitioner as per the First
Information Report is that he along with other co-accused
persons kidnapped the minor daughter of the informant and
committed rape upon her.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case inasmuch as
there was love affair between the victim girl and co-accused



Vicky Paswan and the victim girl had gone with Vicky Paswan on her free will and no such occurrence has taken place as alleged in the First Information Report. Learned counsel further submits that the petitioner is in custody since 18.6.2020.

On the other hand, learned counsel for the State referring to the statement of the victim girl recorded under Section 164 Cr. P.C. submits that the victim girl who is aged about 13 years has categorically stated that the petitioner along with his friends, total four in numbers, took her forcibly to Daman by a train and committed rape upon her continuously.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the statement of the victim girl recorded under Section 164 Cr. P.C., I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for bail of the petitioner stands rejected.

(Anil Kumar Sinha, J)

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