

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12931 of 2021

Arising Out of PS. Case No.-272 Year-2020 Thana- ARA NAGAR District- Bhojpur

VIKASH PASWAN @ APPU SON OF PYARE PASWAN R/o village-
Balbatra, P.S.- Ara, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 01-04-2022 Heard Mr. Manoj Kumar, learned Advocate for the
petitioner and Mr. Md. Aslam Ansari, learned APP.

The petitioner seeks bail in anticipation of his arrest in connection with Ara Nagar P.S. Case No. 272 of 2020 dated 24.06.2020 instituted for the offences under Sections 341, 342, 323, 324, 354(B) and 504 of the Indian Penal Code and Section 8 of the POCSO Act.

The victim has alleged that while she had gone to attend to the call of nature, the petitioner had tried to take her away but she protested. On her protest, she was assaulted by a brick as a result of which she got injured.

It has been urged on behalf of the petitioner that the accusation is highly exaggerated. The petitioner and the informant are agnates and because of some dispute between the two families, which has snow-balled into further enmity, this



case has been lodged. From the 164 Cr. P.C. statement of the victim girl, it appears that there was no intention to outrage her modesty but she was assaulted by means of a brick and her dress was torn from behind.

The learned counsel for the petitioner has submitted that from the perusal of the 164 statement as also the medical report of the victim girl, it would appear that the dispute lies somewhere else but this accusation has been levelled against him in a malafide manner.

Taking into account the aforesaid facts, this Court had called for the case diary and had granted provisional bail to the petitioner vide order dated 24.02.2022.

The case diary has since been received. Nothing has been reported in the police investigation which is different from the submissions advanced on behalf of the petitioner.

Considering this aspect of the matter, the provisional bail granted to the petitioner is, hereby, confirmed.

The petitioner shall remain on the same bail bonds.

The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

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