

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26633 of 2021

Arising Out of PS. Case No.-414 Year-2020 Thana- KAUWAKOL District- Nawada

VIDYASAGAR PASWAN @ MUKESH PASWAN S/o Rajendra Paswan @
Raju Resident of Village- Mansagar, P.S.- Rupau, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-02-2022 Due to the third wave of COVID-19 Pandemic, the
matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders'
under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of four
weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Kawakol P.S.
Case No. 414 of 2020 registered under Sections 363, 366(A) and
120(B) of the Indian Penal Code.

The prosecution allegation, in short, is that the accused
persons forcibly taken the daughter of the informant and tried to
outrage her modesty.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. On recovery, the statement of the victim has been recorded under Section 164 Cr.P.C. in which there is no allegation of sexual abuse.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The victim was forcibly abducted by the petitioner which is evident from perusal of the statement recorded under Section 164 Cr.P.C. It is further alleged that the petitioner tried to forcibly establish physical relationship with the victim.

Considering the nature of accusation made in the F.I.R., I am not inclined to grant anticipatory bail to the petitioner. Prayer is rejected. However, if the petitioner surrenders in the Court below and prays for bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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