

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38066 of 2021

Arising Out of PS. Case No.-669 Year-2020 Thana- PHULWARISHARIF District- Patna

JIPU @ JITENDRA PASWAN @ JITENDRA KUMAR @ JITU Son of
Tilleshwar Paswan R/o Kamrapur, P.S.- Athmalgola, District - Patna
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 07-04-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Phulwarisharif Police Station Case No. 669 of 2020, registered
for the offences punishable under Section 354-B of the Indian
Penal Code and Sections 10/12 of the Prevention of Children
from Sexual Offences Act, 2012.

The prosecution case, as per the First Information
Report, is that while the informant was away from her house in
relation to her duty, the petitioner, being the driver, sexually
abused the minor daughter of the informant.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case due to some
quarrel with the informant on the point of payment of salary. He
further submits that the petitioner was arrested from the house



of the informant on 05.12.2020; whereas the alleged occurrence has taken place on 04.12.2020 and it does not stand to reason that if the informant had come to know about the occurrence prior to the date of arrest of the petitioner, they would allow the petitioner to enter into their house. He further submits that the petitioner is in custody since 05.12.2020.

On the other hand, learned Additional Public Prosecutor, referring to the case diary, submits that the victim girl is aged about 11 years and her statements, under Sections 161 and 164 of the Code of Criminal Procedure, 1973, were recorded, in which she has supported the allegation levelled against the petitioner in the First Information Report.

Regards being had to the submissions made on behalf of the parties and taking into consideration the statements of the victim girl, recorded under Sections 161 and 164 of the Code of Criminal Procedure, 1973, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed.

Let the trial be expedited.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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