

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49048 of 2021

Arising Out of PS. Case No.-12 Year-2021 Thana- MAHILA District- Munger

Kamdeo Paswan @ Latariya Paswan Son of Late Sahdeo Paswan Resident of
Village - Akhara Tola Ratanpur, P.S. - Bariyarpur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munish Kumar

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Munger Mahila P.S. Case No. 12 of 2021 registered for the offences punishable under Section 376 of the Indian Penal Code.

According to prosecution case, on the basis of fard-beyan of informant/victim alleging therein that she alongwith her sister-in-law had gone to Rishikund Champakol Forest for taking Sakhua leaves. After returning from forest Chowkidar Kamdeo Paswan @ Latariya Paswan caught her, dragged her and started committing rape with her. When her sister-in-law



came there, he fled away from the spot.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case on the ground that the petitioner is the Chowkidar of that locality. The said fact of the case is that the victims was selling illegal wine and the petitioner objected the same. Due to this reason the informant/victim falsely implicated the petitioner in the present case. The petitioner is in custody since 20.04.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail on the basis of material available on the record and case diary submits that the statement of the victim girl was recorded under Section 164 Cr.P.C. on 23.04.2021 and victim has supported the allegation as alleged in the F.I.R. The sister-in-law of the victim also supported the accusation.

Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of bail to the petitioner and accordingly, the same stands rejected.

(Rajesh Kumar Verma, J)

mdrashid/-

U		T	
---	--	---	--

