

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44145 of 2022**

Arising Out of PS. Case No.-19 Year-2022 Thana- BAKHTIARPUR District- Saharsa

Ravi Kumar Paswan S/O Uday Paswan Resident of village- Bakhtiyarpur,  
Ward No- 10. (kanu Tola), P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shashank Shekhar Sinha, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      24-11-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with  
Bakhtiyarpur P.S. Case No. 19 of 2022 registered for the offence  
under Sections 354 of the Indian Penal Code and under Sections  
08 and 12 of the POCSO Act.

The accused/petitioner is named in the F.I.R. and is in  
custody since 22.01.2022.

The allegation against the petitioner is to disrobe the  
minor daughter of the informant, aged about 8 years, while she  
went out with other minor children and also to display indecent  
video before her with ulterior motives, where daughter of



informant rescued herself after raising alarm and biting the accused.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in present case due to local disputes and differences. It is submitted that entire implication is based upon hearsay version, as the victim first informed to her mother, who again informed to the father of the victim, who is the informant of the present case and, as such, improvement of allegation cannot be ruled out. It is further pointed out that petitioner and victim were known to each other and out of misconception/misunderstanding of fact, the present case was lodged. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as implication is found upon hearsay input coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 22.01.2022, let the petitioner, above named, is directed to be released on bail in connection with Bakhtiyarpur P.S. Case No. 19 of 2022 on furnishing bail



bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI-cum- Special Judge POCSO, Saharsa/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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