

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71365 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- SAKRI District- Madhubani

Bipin Kumar Paswan Son of Budheshwar Paswan Resident of Village -
Raiyam, P.S.- Bhairav Asthan, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
15.10.2022 in connection with Sakari P.S. Case No. 59 of 2022,
F.I.R. dated 20.03.2022 for the offences punishable under
Sections 366A/34 of the Indian Penal Code and Section 8 and
12 of the POCSO Act.

According to prosecution case, the petitioner took
away the minor daughter of the informant (victim) with an
intention to marry her.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner was in love with the victim girl and the petitioner has not committed any offence as alleged in the F.I.R.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim girl was recorded under Section 164 of the Cr.P.C. in which she has categorically stated that the petitioner has committed rape upon her and at the time of occurrence, the victim was minor.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Sakari P.S. Case No. 59 of 2022 pending in the court of learned Additional Sessions Judge-VI-cum Special Judge (POCSO), Madhubani.

Prayer is refused.

(Rajesh Kumar Verma, J)

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