

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.428 of 2023

Arising Out of PS. Case No.-337 Year-2022 Thana- JHAJHA District- Jamui

SANTU PASWAN S/O Bhim Paswan R/O Village- Dumar Pokhar, P.S-
Jhajha, District- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Jhajha P.S. Case No. 337 of 2022 instituted for the offence
under Sections 366(A), 376 of the Indian Penal Code and
Section 4 of the POCSO Act.

As per allegation in the FIR, the informant alleged
that her daughter has been abducted by this petitioner on
10.8.2022 and thereafter, he left his daughter near village on
12.8.2022. when the informant inquired from her daughter, she
stated that the petitioner committed rape with her/victim.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely
been implicated in this case due to dirty village politics. The
alleged occurrence took place on 10.8.2022 whereas the FIR has



been lodged in delay of four days on 14.8.2022 without any explanation. It is further submitted that the medical report of the victim did not support the prosecution version. Moreover, the petitioner is languishing in judicial custody since 22.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the victim girl supported the prosecution version in her statement recorded under section 164 of Cr.P.C. which has been annexed with the Case diary. The victim girl stated that the petitioner namely, Santu Paswan took her forcefully against her will and committed rape with her. It is further submitted that victim girl is minor.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation of committing rape against the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

Amandeep/-

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

