

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59038 of 2024

Arising Out of PS. Case No.-187 Year-2024 Thana- PIRPAINTI District- Bhagalpur

Sohit Kumar Paswan S/O Lorik Paswan R/O Village- Dulauduliya, P.S-
Pirpanti, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Govind Thakur S/O Ramdeo Thakur R/O Village- Duladuliya, P.S- Pirpanti,
Distt.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Pirpanti P.S. Case No. 187 of 2024 dated 03.04.2024, instituted
for the offence punishable under Sections 341, 342, 323,
354(Ka) (1)(ii) 1(iv), 354(Kha) and 506 of the Indian Penal
Code and under Section 8 of POCSO Act.

3. The prosecution case, in short, is that the
informant's minor daughter aged about 16 years had gone to
attend call of nature on the date of occurrence and while she was
returning home. The petitioner caught her and pressed her
mouth and brought her to his house forcibly. Further, it is



alleged that the petitioner forcibly took the victim to his house and applied vermilion on her head.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the victim's statement was recorded under Section 164 Cr.P.C.. It is submitted that the victim and the petitioner was in love affairs with each other and no such alleged occurrence took place on the date of occurrence. It is submitted that as per the F.I.R., the date of occurrence is 31.03.2024 but the present F.I.R. has been lodged on 03.04.2024 after three days of the said occurrence without any plausible explanation of the delay. It is submitted that a *Panchayati* had taken place in the village on 22.04.2024 and both the parties have settled their dispute and a compromise petition has been filed before the concerned court. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Pirpanti P.S. Case No.



187 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-7th-cum-Special Judge-cum-POCSO Court, Bhagalpur, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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