

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59485 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- ASARGANJ District- Munger

=====

Ram Prasadi Paswan S/O Late Yugal Paswan R/O Village- Lagma, P.S-
Asarganj, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek

For the Opposite Party/s : Mr.Shailendra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Section 377 of the Indian Penal
Code and Section 4 of the POCSO Act.

3. As per allegation in the FIR, petitioner has lured the
informant's four year minor son on the pretext of providing
chocolates and took him at a deserted place where he committed
un-natural sex causing bleeding injury to him.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Petitioner
is an old man of 75 years and priest in a local temple. Petitioner
has got no criminal antecedent and languishing in judicial
custody since 30.01.2023.



5. The application for bail is opposed by learned APP for the State and submitted that there is direct allegation of committing un-natural sex with the minor boy. Statement of victim boy and his mother were recorded u/s 164 Cr.P.C., wherein they made direct allegation against the petitioner for committing un-natural offence. Medical report is in consonance with the prosecution story and doctor found abrasion and swelling were found in anal region of the victim boy.

6. In compliance of order dated 6.12.2023, progress report dt. 11.12.2023 has been received which suggests that trial is likely to be concluded within 4-6 months.

7. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

8. The trial court is directed to expedite and conclude the trial within six months, failing which the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

