

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71780 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- MAHILA P.S. District- Nawada

Vivekanand Paswan Son of Amrudh Paswan @ Anirudh Paswan Resident of
Khera, P.S.- Khadagpur, Dist.- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Kumari D/O Pappu Vishwakarma R/O Vill. and P.S.- Sitamarhi, Dist.-
Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 21-11-2024 Heard Mr. Rabindra Prasad Singh, learned counsel for

the petitioner, Mrs. Renu Kumari, learned APP for the State and

perused the case diary.

2. The petitioner seeks bail in connection with Mahila
P.S. Case No. 25 of 2024 instituted for the offences under
Sections 376, 504 of the Indian Penal Code and Sections 4, 6 of
the POCSO Act.

3. Prosecution case, in short, is that the petitioner
established physical relations with the victim on the pretext of
marriage.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel further submitted that petitioner has not committed rape upon the victim and the same is also evident from the medical report of the victim and the allegations levelled against the petitioner are false and concocted. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted that victim in her statement under Section 164 of the Cr.P.C. has supported the prosecution version.

6. Considering the aforesaid facts and circumstances of the case and the statement of the minor victim recorded under Section 164 of the Cr.P.C. this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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