

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68751 of 2023

Arising Out of PS. Case No.-60 Year-2023 Thana- AUANGARI District- Nalanda

Ravi Paswan S/O Subhash Paswan Village- Sabalpur, Ps- Aungari, Dist-
Nalanda

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Aungari P.S. Case No. 60 of 2023, lodged on 07.06.2023 under
Section 376 of the Indian Penal Code read with section 4/6 of
the POCSO Act.

3. As per the prosecution case, the FIR has been
lodged against the sole petitioner with allegation that he has
committed rape with the daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the criminal antecedent of the petitioner is
clean and he is in custody since 08.06.2023. Counsel further
submits that by way of supplementary affidavit, the informant's
side namely, the informant and her husband is already accused



in women trafficking case.

5. Learned counsel for the petitioner submits that in the medical report, there is no support of the occurrence of rape.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that case diary as well as statement under section 164 Cr.P.C. has been called for and in the statement under section 164 Cr.P.C., the victim girl has supported the commission of crime.

7. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Aungari P.S. Case No. 60 of 2023, pending before the learned 7th Additional Sessions Judge-cum-Special Judge, POCSO, Nalanda at Bihar Sharif is **hereby rejected.**

9. Liberty is hereby granted to the petitioner that he may renew his prayer for bail one year from the date of cognizance.

(Dr. Anshuman, J.)

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