

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79028 of 2023

Arising Out of PS. Case No.-16 Year-2021 Thana- MAHILA PS District- Gaya

Mahavir Paswan @MAHABIR Paswan Son Of Sahendra Paswan Resident Of
Village- Manarsa, Ps- Tekari, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-01-2024 Heard Mr. Mrigendra Kumar, learned counsel for
the petitioner and Ms. Sharda Kumari, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
02.05.2022 in connection with POCSO Case No. 103 of 2021 ,
F.I.R. dated 14.05.2021 for the offences punishable under
Sections 376(D), 376(AB) of the Indian Penal Code and Section
6 of the POCSO Act.

3. Earlier the bail application of the petitioner has been
rejected vide order dated 01.05.2023 passed in Cr. Misc. No.
4748 of 2023.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. Vide order dated 08.12.2023 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 13.12.2023 reveals that the charge has been framed against the petitioner and PW-1 (victim) has already been examined.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the facts and nature of allegation and the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 103 of 2021 arising out of Mahila P.S. Case No. 16 of 2021, pending in the court of learned POCSO-cum-ADJ-VI, Gaya.

8. However, learned Trial Court is directed to expedite and conclude the trial at the earliest.

9. Prayer is refused.

(Rajesh Kumar Verma, J)

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