

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84043 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- KARJAIN District- Supaul

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Aakash Paswan @ Akash Paswan S/O Chandra Kant Paswan Resident of
Village- Jagdishpur Ward No. 5, P.S.- Karjain, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXX S/O XXXX R/O Village- Padumnagar, Ward No. 2, P.S- Karjain,
Distt.- Supaul.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.

For the Opposite Party/s : Mr. Binay Krishna, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-12-2024 Heard the parties.

2. The petitioner is in custody in connection with
POCSO Case No. 105 of 2024 arising out of Karjain P.S. Case
No. 132 of 2024 for the offence punishable under sections
126(2), 127(2), 115(2), 76, 78, 3(5) of the BNS and under
Section 67 of the IT Act, U/s 3(1) (r), 3(1) (w) of the SC/ST
(Prevention of Atrocities) Act, 1989 and U/s 8 of Pocso Act
lodged on 03.09.2024.

3. As per the prosecution story, the informant alleged
that the marriage was fixed with the lady but due to economic
condition, the in-laws family requested for further time. In the
meantime, allegation is that the accused persons forced him to



call the lady, made them to undress, nude videos were made by the accused, got them paraded to home and forcibly got them married. Later, the videos were put on social electronic media, completely lowering the image of the two victims as also their family members. This led to the FIR.

4. Learned counsel for the petitioner submits that no role has been assigned to him, he being a villager was present at the wrong spot and got implicated.

5. Mr. Binay Krishna, learned Spl. PP has opposed the prayer and has taken this Court to the learned Court's order to show that not only the accused persons including this petitioner compelled the informant and the victim to get undressed, their nude videos were prepared and it was put on social media. The girl has also narrated her ordeal under Section 183 of the B.N.S.S. showing the complicity of the accused, petitioner included. The birth date of the victim girl is 05.02.2007 and as such, she was minor at the time of occurrence.

6. Having gone through the facts of the case/submissions of the parties, it is surprising to the Court that despite a well Judicial System functioning in the country up to the district/Sub-Divisional level, some persons from the society have taken over the role of judicial officers and extending



immediate justice. In the present case also, as alleged, the informant and the victim girl were forced to undress, their videos made, forcibly married them and once convinced that they have not lodged any complaint, the video was made viral. This is just like adding salt to the injury.

7. In that background, it would be appropriate that the petitioner faces trial. No case of bail is made out.

8. Accordingly, the bail petition stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

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