

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1308 of 2024

Arising Out of PS. Case No.-300 Year-2023 Thana- VAISHALI District- Vaishali

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Amod Paswan @ Amod Kumar Son of Pakauri Paswan Resident of Village-
Nagwan, Vaishali, P.S.-Belsar O.P., District -Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Vaishali P.S. (Belsar O.P.) Case no.300 of 2023 registered under section 376 of the Indian Penal Code and section 6 of the POCSO Act.

3. As per the prosecution case, the fifteen year old informant states that finding her alone in the house, the petitioner entered into her house, overpowered her and committed rape. On her raising halla, her uncle and aunt came on which the petitioner escaped.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The alleged victim was medically examined and the allegations of rape was not substantiated. The mother of the informant also does not



disclose as to where she was at the time of the alleged occurrence. The petitioner is in custody since 17.7.2023 and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner is named in the F.I.R. There is direct allegation against him of having committed rape on the informant. The age of the informant in the medical examination has been assessed to be 16-17 years.

6. Having heard learned counsel for the parties and taking into consideration the allegations of rape levelled by the minor informant against the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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