

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3706 of 2024

Arising Out of PS. Case No.-176 Year-2023 Thana- BANMANKHI District- Purnia

Pankaj Paswan S/o Sitaram Paswan Resident of Village - Ward no. 05
Banmankhi, PS - Banmankhi, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner, informant and
learned APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 363, 366(A), 376 of the Indian
Penal Code and Section 4 of the POCSO Act.

3. The allegation against the petitioner is of abducting
and committing rape upon the younger daughter of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that from the perusal of
Medical Report of the victim, it appears that the victim is aged
about 18 to 20 years and no sign of sexual assault was found at the
time of examination. Petitioner is languishing in judicial custody
since 21.05.2023.



5. Learned APP for the State and learned counsel for the informant have opposed the application for bail and submitted that the petitioner is named in the FIR and the statement of the victim has been recorded under Section 164 of the Cr.P.C. in which she stated that this petitioner forcibly abducted and kept her in a place where he committed rape upon her several times, which corroborates the prosecution case. They further submitted that victim is a minor girl at the time of alleged occurrence. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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