

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1448 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- KALYANPUR District- East Champaran

Tuntun Paswan, aged about 23 years, male S/O Mewalal Paswan Village-
Dhaniya, Ps. Sahebganj, Dist. Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 20-03-2024 Heard learned counsel appearing on behalf of the
parties.

2. The petitioner seeks bail registered for the offence
under Sections 363 and 366A/34 of the IPC and Sections 8 of
the POCSO Act.

3. As per the prosecution case, it is a case of
committed rape upon the victim lady.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has falsely been implicated in
this case and the daughter of the informant loved with the driver
of the petitioner and she went with him with her own sweet will.
Petitioner is in custody since 27.09.2023.

5. Learned APP appearing for the State,



opposes the prayer for bail of the petitioner.

6. From perusal of the first information report, the statement of the victim recorded under Section 164 of the Cr.P.C as well as impugned order dated 03.11.2023, it appears that investigation has already completed and chargesheet has already been submitted under Sections 363 and 366A of the IPC and Section 8 of the POCSO Act and also perused the statement of the victim that she has specifically stated that the petitioner forcibly taken away and kept in a house in upper floor and raped upon her by all the four accused persons including the petitioner and the victim is aged about 14 years, considering which, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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