

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6890 of 2025

Arising Out of PS. Case No.-22 Year-2024 Thana- MAHILA P.S. District- Sheikhpura

Deepak Kumar, aged about 21 years, Sex-Male, Son of Awadhesh Paswan,
R/O Village- Badhanpura, P.S.- Jayrampur, Dist- Sheikhpura

... .. Petitioner

Versus

1. The State of Bihar
2. Dayawati Devi, Female, aged about 71 years, Wife of Late Suresh Paswan,
R/O village- Sama Bujurg Paswan Tola, P.S.- Barbigha, Dist- Sheikhpura

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Bipin Kumar, Advocate
For the State	:	Mr. Harendra Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 18-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sheikhpura (Mahila) P.S. Case No. 22 of 2024 dated 29.06.2024 registered for the offences punishable under Sections 420, 354, 376, 323, 341, 504, 506 read with Section 34 of the I.P.C., Sections 3(1)(r)(s), 3(2)(va) of the SC/ST Act and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, on 17.03.2024 at about 3.00 P.M., the petitioner alongwith other co-accused behaved indecently and abused the minor grand-daughter of the informant and after seeing the informant both accused persons



left her grand-daughter and ran away. When she asked her grand-daughter, she told when she was studying in Class-10th, the petitioner used to tease her on the way after that the petitioner and the grand-daughter of the informant started talking and he had sexual relations with her by luring her on the pretext to get married with her. After the death of her father in 2018, the petitioner alongwith other co-accused took around Rs. 3,00,000/- of L.I.C. money which she received on death of her father by luring her with promise of marriage and also sexually exploited her at several occasions. It is further alleged that the petitioner sent vulgar text messages on the mobile of the victim girl.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that from perusal of the F.I.R., it is evident that the victim used to talk with the petitioner and they fall in love, hence, the petitioner has not forcibly established physical relation with her. It is further submitted that a vulgar text message was sent to the mobile of the victim through the Mobile No. 7488176799 which does not belong to the petitioner. It is further submitted that the petitioner has not committed any illegal act with the victim and due to pressure of



marriage the present false case has been filed against the petitioner. It is further submitted that the victim has no complaint against the petitioner that he forcibly committed penetrating sexual assault with her. It is further submitted that the date of birth of the victim as mentioned in the Matric Certificate issued by the Bihar School Examination Board is 12.08.2006, hence, her age is about 19 years old and she is a major girl. The charge sheet has been submitted in the present case. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 24.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner and has further submitted that the petitioner is named in the F.I.R. He further submits that the petitioner on the pretext of marriage, established physical relationship with the minor grand-daughter of the informant and he also took Rs. 3,00,000/- from her.

6. Considering the aforesaid facts and circumstances of the case and heinous nature of accusation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Sheikhpura (Mahila) P.S. Case No. 22 of 2024, pending in the court of learned District



and Additional Sessions Judge-cum-Exclusive Special Judge
(POCSO), Sheikhpura.

7. The application stands rejected.

8. The learned trial court is directed to expedite the trial
of the petitioner and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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