

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15444 of 2025

Arising Out of PS. Case No.-457 Year-2024 Thana- PURNEA SADAR District- Purnia

Chhotu Paswan @ Chhotu Kumar Son of Umesh Paswan Resident of
Mohalla- Aina Mahal Gulabbagh, P.S.- Sadar, Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Babita Devi Wife of Sikandar Paswan Resident of Mohalla- Aina Mahal
Gulabbagh, P.S.- Sadar, Distt.- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2025 Heard Mr. Ram Prawesh Kumar, learned counsel

for the petitioner and Mr. Ram Naresh Ray, learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Sadar P.S. Case No. 457 of 2024, F.I.R. dated
16.08.2024 for the offences punishable under Sections 341,
323, 504 and 34 of the Indian Penal Code and Sections 4 and 8
of POSCO Act.

3. According to prosecution case when the daughter
of the informant was alone in her house then the petitioner
entered into the house of the informant and on the point of knife
committed rape with the daughter of the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the date of occurrence as alleged in the F.I.R is 29.06.2024 but the present F.I.R was instituted on 16.08.2024 i.e. after delay of more than four weeks without giving any explanation of the said delay.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that it appears from the impugned order itself that the petitioner has already filed a *Sanha* against the petitioner, which suggests that the petitioner was aware that he has committed something wrong with the informant, so he has filed the complaint petition only to rescue from the present case and it appears from the impugned order itself that the statement of the victim has been recorded under the Section 164 of Cr.P.C. in which she is fully supporting the case of the prosecution

6. Considering the allegation as alleged in the F.I.R and the material available on record, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection

with Sadar P.S. Case No. 457 of 2024 pending in the court of District and Additional Sessions Judge-cum-Special Judge-VI, Purnea.

7. Prayer is refused.

(Rajesh Kumar Verma, J.)

Jyoti Kumari/-

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