

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30162 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- SAMASTIPUR District- Samastipur

Dr. Pawan Kumar Paswan @ Pawan Kumar Paswan S/O Jagdev Paswan
Resident of- Mohanpur, P.S.- Muffasil, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi W/O Lalo Das Resident of- Vishunpur, P.S.- Muffasil, District- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashish Kumar Sinha, Advocate
For the Opposite Party No. 2	:	Ms. Antara Azad, Advocate
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

- 3 06-08-2025 Heard Mr. Ashish Kumar Sinha, leaned counsel for the petitioner and Ms. Antara Azad, learned counsel for the informant and Mr. Bharat Bhushan learned APP for the State.

2. The petitioner is in custody in connection with Town P.S. Case No. 83 of 2025 for the offences punishable under Sections 75(1), 76, 65(2) and 63 of the Bhartya Nyaya Sanhita and under Sections 8 and 12 of the POCSO Act lodged on 24.03.2021 by the informant, Rekha Devi.

3. As per the prosecution story, the informant alleged that her niece was studying in the school where the petitioner is a Principal. She along with two child went to the office to seek leave where it is alleged that after allowing the two girls to leave, the petitioner took this ten years old girl on his lap and



resorted to inappropriate touch. The girl ran away to her home crying and narrated the entire ordeal to the family members whereafter the locals rushed to the school. When they wanted video footage and tried to record him, the Principal stopped the video but they could see the inappropriate touch. This led to the FIR.

4. Learned counsel for the petitioner submits that the Principal only as a guardian, tried to console the girl who was having stomach ache but it has been given a different colour.

5. Learned APP and learned counsel for the informant on the other hand opposes the prayer submitting that the ten years old child was exploited causing deep scar on mind which may not be raised forever. She has narrated her ordeal, was crying and the same cannot be disbelieved.

6. Considering the submissions of the parties as also the facts on record, the Principal being the highest person in the said school and assigned with the duty of shaping up the future of the child resorted to such activities as per the FIR.

7. In that background, for the present, this Court is not inclined to extend him the privilege of bail.

8. The bail application stands rejected.

9. Before parting, this Court would like to put on



record its word of appreciation both for Mr. Ashish Kumar Sinha representing the petitioner and Ms. Antara Azad who represented the informant for proper assistance rendered in the matter.

10. This Court would also like to have a reply from the Superintendent of Police, Samastipur through Mr. Bharat Bhushan, learned APP with regard to the knowledge of law of Meenu Kumari, the Investigating Officer of this case attached to the Town P.S. Samastipur. A perusal of investigation shows that everywhere, she has recorded the name of the victim girl along with her family members and address which under the POCSO Act is prohibited.

11. The Superintendent of Police, Samastipur has to sensitize not only the said lady but also needs to conduct a workshop on POCSO Act inviting prominent lawyers and professors from law college who could train the Police Officers. It has been more than a decade that the POCSO Act came into force and if still the Police Officers at ground level are unaware of its nitty gritty, it is unfortunate.

12. The Action Taken Report be filed by way of counter-affidavit within a period of four weeks through Mr. Bharat Bhushan, learned APP.



13. List this case on 12.09.2025 under the heading ‘To
be Mentioned.

14. Let the name of Mr. Bharat Bhushan, learned APP
appear in the cause list.

(Rajiv Roy, J)

Raj Ranjan/-

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