

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52846 of 2024**

Arising Out of PS. Case No.-161 Year-2024 Thana- JAHANABAD District- Jehanabad

Raj Kishor Paswan @ Raj Kishor Paswa Son of Krishna Paswan Resident of  
Vill- Kakaria, P.S.- Jehanabad (Kalpa O.P.), District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shakuntala Devi w/o Surendra Das R/O Village- Kinari, Thana Kalpa (O.P.),  
Distt.- Jehanabad.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate  
For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

6      30-01-2025                      Heard learned counsel for the petitioner, learned  
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Special  
POCSO Case No. 50 of 2024, arising out of Jehanabad (Kalpa  
O.P.) P.S. Case No. 161 of 2024, instituted for the offences  
punishable under Sections 363, 366(A), 376 of the Indian Penal  
Code and Section 4 of POCSO Act.

3. The prosecution case, in short, is that, minor  
daughter of the informant was kidnapped by the petitioner along  
with other co-accused person. It is further alleged that when the  
informant went to the house of the petitioner, she was abused  
and threatened with dire consequences.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the victim in her statement recorded under Section 161 Cr.P.C. has stated that she does not want to go to her parental house. The statement of victim under Section 164 Cr.P.C. has not been recorded. It is further submitted that medical examination of the victim has not been done. The victim has not alleged any single word against the petitioner. The petitioner is in custody since 13.03.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner is named in the FIR and there is direct allegation against the petitioner that he had raped her daughter after kidnapping her. On perusal of the medical report of the victim which prima facie shows that something has been committed with the victim. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected at this stage. The trial Court  
is directed to expedite the Trial expeditiously.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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