

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52641 of 2025

Arising Out of PS. Case No.-113 Year-2025 Thana- SAUR BAZAR District- Saharsa

Prashant Kumar @ Prashant Paswan @ Prashant Kumar Paswan, S/O Laddu
Paswan Resident of Village- Badsam, P.S- Saurbazar, District- Saharsa, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/O Village- Badsam, P.S- Saur Bazar,
Distt.- Saharsa, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 05-12-2025 Heard Mr. Amarnath Jha, learned counsel for the
petitioner and Mr. Gulnar Begum, learned APP for the State.

2. The petitioner has prayed for bail in connection with Saur Bazar P.S. Case No. 113 of 2025 registered for the offence punishable under Sections 126(2), 118(1), 74, 351(2) of the B.N.S. and Sections 3 and 7 of the POCSO Act.

3. The case of the prosecution, in short, is that the petitioner took the minor daughter of the informant at a dark place on pistol point and made a video biting the cheek and also attempted to misbehave with her. When the daughter of the informant raised alarm, she was being threatened of dire consequences. It is further alleged that the video was made viral



on the facebook.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has further been submitted during trial, the victim of this case has been examined as P.W.1 and in her examination-in-chief, she has stated that this case has been filed by her mother. When she has gone in a marriage party and when she was returning from there, three boys came there and pushed her. She does not identify those boys. She has further stated that her mother and other girls were there who were returning with her. She does not know the names of her friends who were with her. She has further stated that police has not taken her statement and she has identified her statement given under 183 of the B.N.S.S. It has also been submitted that from perusal of the statement of victim recorded under Section 183 of the B.N.S.S. it is clear that the only allegation against the petitioner is that he has clicked the photo giving bite in left cheek of the minor daughter of the informant and that photo has been made viral. It has also been submitted that during trial the victim herself has not identified the petitioner. Petitioner is having no criminal antecedent and he is languishing in judicial custody since



23.04.2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VI-cum-Special Judge, POCSO, Saharsa in connection with Saur Bazar P.S. Case No. 113 of 2025.

(Ashok Kumar Pandey, J)

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