

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74887 of 2025

Arising Out of PS. Case No.-485 Year-2025 Thana- BIDUPUR District- Vaishali

=====

Avinash Kumar @ Awinash Kumar S/o Ashok Paswan R/o Village- Panapur
Kyam, P.S.- Bidupur, District- Vaishali - 844115

... .. Petitioner

Versus

1. The State of Bihar
2. Tuntun Paswan S/o Dukhit Paswan R/o Panapur Kyam, Ward No. 12, P.S.-
Bidupur, District- Vaishali

... .. Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Prem Kumar Paswan, Advocate
For the Opposite Party State: Mr. Jai Narain Thakur, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Bidupur P.S. Case No.485 of 2025 registered under Sections 65(1), 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.') and Section 4 of POCSO Act.

3. The allegation against the petitioner is of kidnapping the minor daughter of the informant aged about 14 years and subsequently to commit aggravated sexual assault upon her.

4. It is submitted by learned counsel appearing for the petitioner that the petitioner has been implicated falsely due to



village politics. It is pointed out that the occurrence took place in the night which further making the occurrence doubtful on its face. It is submitted that no medical examination of the victim was done in this case and, therefore, the allegations cannot be believed straightway. It is submitted that the petitioner is a man of clean antecedent.

5. Learned APP while opposing the prayer for bail submitted that the victim is a minor girl aged about 14 years, who specifically supported the allegation against the petitioner of kidnapping and also to commit penetrative sexual assault upon her while recording her statement under Sections 180 and 183 of the BNSS.

6. Keeping in view the aforesaid factual submissions and by taking note of the fact that the victim girl has supported the allegation against the petitioner of kidnapping and penetrative sexual assault upon her in her statement recorded under Sections 180 and 183 of the BNSS, the prayer of the petitioner for anticipatory bail stands rejected for the present.

(Chandra Shekhar Jha, J)

Pawan/-

U		T	
---	--	---	--

