

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.855 of 2025

Arising Out of PS. Case No.-601 Year-2019 Thana- MADHAURAH District- Saran

=====

Pawan Singh @ Pawan Sut Kumar Singh Son of Vinod Singh R/O-Village-
Matihan, P.S.- Dariyapur, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tara Devi Wife of Awadhesh Singh Resident of Village- Asaon, P.S.-
Marhowrah, Dist.- Saran

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Harish Kumar, Adv.
For the Opposite Party/s	:	Mr.Suresh Prasad Singh, APP
For the O.P. No.2	:	Mr. Vishwa Ranjan Choudhary, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 07-04-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner seeks bail in connection with

Marhowrah/Madaura P.S. Case No. 601 of 2019 instituted for

the offences under Sections 363, 366(A) of the I.P.C. and, later

on added Section 376 of the I.P.C. and Section 4/6 of the

POCSO Act.

3. As per prosecution case, the accusation against the

petitioner is of kidnapping the minor daughter of the Informant

and, thereafter, committing sexual offence upon her.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. as also there is no specific or direct allegation of any overt act against him. The name of the petitioner has transpired in this case in course of investigation. As a matter of fact, there as a love affair between the petitioner and the victim girl and they have also solemnized marriage on her own will with the petitioner. In the statement recorded under Section 164 Cr.P.C., she has not made any allegation of kidnapping against the petitioner. The alleged victim has been blessed with three babies from her wedlock with the petitioner. Both the parties are leading conjugal life happily. The petitioner has neither forced nor induced the victim girl in any manner. He further submits that there is delay of ten days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 14.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The victim girl is minor. There is specific allegation



against the petitioner of taking away the victim girl and committing sexual offence with her. The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 363, 366A, 376 of the I.P.C. and Section 4/6 of the POCSO Act.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from today. If the trial is not concluded within the period of six months as stated above, the petitioner will be at liberty to renew his prayer before the court below which will be disposed of on its merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

rishi/-

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

