

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19550 of 2026

Arising Out of PS. Case No.-9 Year-2023 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Chandra Kishore Paswan @Chand Kishore Paswan Son of Late Devendra
Paswan Resident of Village- Chamrahara, P.S.- Mahnar, District- Vaishali
... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi Wife of Sri Ramanand Paswan Resident of Village- Chamrahara,
P.S.- Mahnar, District- Vaishali
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha
For the Opposite Party/s : Mr.Sangeeta Sharma

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 323, 307,
376, 354(B) of the IPC and Sections 4, 6, 8 of the POCSO Act.

3. Petitioner is said to have tried to rape the daughter
of the informant and also assaulted her with knife which hit her
in above the eye.

4. Learned counsel for the petitioner submits that the
present case arises out of a complaint case filed on behalf of the
complainant who happens to be the mother of the victim girl. It
has also been alleged in the complaint that while the victim had
gone for easing herself at around 8:00 PM, the petitioner who



happens to be the own paternal uncle of the victim attempted to commit rape with her and when the complainant protested against the same, she was also assaulted by means of knife. It is further submitted that neither the victim girl got medically examined nor there is any injury report of the complainant/opposite party on record. It would further appear from the statement of the complainant on oath that she has referred to the petitioner as his neighbour and has thus deliberately concealed the fact that he is the own paternal uncle of the victim. Learned counsel has also submitted that the present case has been lodged only with an oblique motive as this petitioner had been granted compassionate appointment in place of his father on his death which was not acceptable to the complainant/opposite party no. 2. Further, the petitioner is a government servant having no criminal antecedent.

5. Learned APP for the State and learned counsel for the opposite party no. 2 have opposed the application for anticipatory bail on the basis of the allegation made in the complaint case.

6. Taking into consideration the facts and circumstances and also considering the fact that the petitioner is the own uncle of the victim which fact has been concealed in the



complaint petition and further considering the fact that there is a dispute between the parties and there has been no medical examination of either the victim or the complainant, let the above named petitioner, who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 09 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the conditions that:

(I) One of the bailors would be the family member or relative.

(II) The petitioner is directed to cooperate in the investigation/trial and in case non-cooperation by the petitioner, the prosecution would be at liberty to file an application for cancellation of bail of the petitioner.

(Soni Shrivastava, J)

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