

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53875 of 2023

Arising Out of PS. Case No.-50 Year-2022 Thana- TIKAPATTI District- Purnia

Gulshan Kumar @GULSHAN Kumar Paswan Son Of Sadhu Paswan
Resident Of Village- Sahjadpur, Ps- Udakishunganj, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhen Sarkar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Tikapatti P.S. Case. No. 50 of 2022 instituted for the offence
under Section 376 of the Indian Penal Code and Section 4 of the
POCSO Act.

Allegation against the petitioner is that he committed
rape with the informant's minor daughter and threatened her to
kill if discloses about the occurrence.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case. A
statement has been made in para-3 of this petition that the
petitioner has got no criminal antecedent. It is further submitted
in para 12 of the petition that medical examination report of the



petitioner does not corroborate with the prosecution case. Moreover, he is languishing in judicial custody since 02.06.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and the statement of the victim was recorded under Section 164 of the Cr.P.C. in which she specifically stated that this petitioner committed rape with her and also her mother supported the prosecution case in her statement recorded under Section 164 of the Cr.P.C. The victim is minor aged about 12 years.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

lata/-

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

