

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32698 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- RAJAON District- Banka

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Bhikho @ Bhikhari Paswan @ Vibhashan Paswan @ Bibshan Paswan @
Bibhishan Paswan Son Of Late Wakil Paswan @ Wakil Paswan R/O-Village -
Tekni @ Tekani, P.O.-SANJHA , P.S - Rajoun, Distt – Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 14-08-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sessions Trial No. 518 of 2023 arising out of Rajoun P.S. Case
No. 178 of 2023, lodged on 15.04.2023, under Sections 458,
380, 376/34 of the I.P.C.

3. As per the prosecution, the F.I.R. has been lodged
against four named accused persons including the present
petitioner against whom there is an allegation of forceful rape
upon the informant.

4. Learned counsel for the petitioner submits that the
bail application of the petitioner was earlier rejected vide order
dated 01.11.2023 passed in Cr. Misc. No.69545 of 2023 with



liberty granted to the petitioner to renew the prayer for bail six months after framing of charge. He submits that six months has already been crossed from the date of framing of charge then only the present case has been filed. He submits that the trial is in the advance stage and 4 prosecution witnesses have been examined. He submits that the informant/victim has deposed in her examination as PW 1 and disclosed the name of two accused persons that they have committed rape, namely, Krishna and Diwakar. She has supported her statement made in examination in chief and in the cross-examination also, which is Annexure-P/4, attached in the application by way of supplementary affidavit.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **after framing of charge, if not framed, as well as on being satisfied that he is not absconding in Rajoun P.S. Case No. 17 of 2018**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- I, Banka, in connection with Sessions Trial No.



518 of 2023, arising out of Rajoun P.S. Case No. 178 of 2023,
subject to the following conditions as laid down under Section
437(3) of Cr.P.C.

(Dr. Anshuman, J.)

Aman Kumar/-

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