

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49395 of 2024**

Arising Out of PS. Case No.-31 Year-2023 Thana- MAHILA PS District- Buxar

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Dharbindra Nath Paswan @ Dharindra Nath Paswan S/O Ramdhari Ram  
Resident Of Village-Hanuman Nagar, P.S.- Buxar(M), District-Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sonam Kumari D/O Dharbindra Nath Paswan @ Dharindra Nath Paswan  
R/O Village- Hanuman Nagar, P.S- Buxar (M), Distt.- Buxar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arun Kumar Gupta, Adv.  
For the State : Mr. Uma Shankar Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI**  
**ORAL ORDER**

3      19-07-2024                      This is an application for renewal of the prayer for  
bail of the accused.

2. This Court vide order dated 4<sup>th</sup> December, 2023,  
while rejecting the application for bail filed by the petitioner,  
recorded that the allegation of the informant is that the accused  
attempted to commit rape upon his illegitimate child.

3. Considering the fact of the case that the biological  
father attempted to commit rape of the victim. The prayer for  
bail was rejected previously.

4. It is submitted by the learned Advocate for the  
petitioner that the petitioner is in incarceration for a period of  
more than one year. Out of eight charge-sheeted witnesses, four



have been examined. Therefore, he should be released on bail.

5. The allegation made out against the petitioner, though disputed on the ground that the said allegation was made out to property dispute, does not permit this Court to release the accused on bail. Therefore, prayer for bail is rejected.

6. However, considering the period of incarceration of the petitioner, the trial court is directed to examine remaining four charge-sheeted witnesses within three months from the date of this order and come to a logical conclusion in respect of the charge levelled against the petitioner.

7. The instant Cr. Misc. case is accordingly disposed of.

8. Liberty is granted to the petitioner to move before the Court after expiry of three months, if the trial is not concluded.

**(Bibek Chaudhuri, J)**

pravinkumar/-

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