

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11156 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- GAYA MUFASIL District- Gaya

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Santu Paswan @ Santu Kumar S/O Suresh Paswan R/O Village- Tapsi, P.S-
Gaya Muffasil, Distt- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. XXX D/O Suraj Dev Yadav R/O Village- Tapsi, P.S- Gaya Muffasil, Distt-
Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S. Case No. 79 of 2024 dated 29.01.2024 registered for the offences punishable u/ss 341, 323, 354B, 504, 506 read with Section 34 of the Indian Penal Code and Sections 8/12 of the POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have sexually assaulted the victim.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. There is no specific allegation against the petitioner of committing rape on the victim rather the allegation against the petitioner is of molesting the victim. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted regular bail by the Coordinate Bench of this court vide order dated 10.07.2024 passed in Cr. Misc. No. 47586 of 2024 which is annexed as Annexure- P/3 with the bail petition. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Muffasil P.S. Case No. 79 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of



the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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