

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19803 of 2025

Arising Out of PS. Case No.-200 Year-2024 Thana- DOBHI District- Gaya

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Prem Paswan @ Prem Kumar S/O Vijay Paswan Resident of Village-
Barhmoriya, P.S- Dobhi, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ful Kumari W/O Mithilesh Paswan R/O Village- Barhmoriya, P.S- Dobhi,
Distt.- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Javed Jafar Khan, Advocate
For the Opposite Party/s	:	Mr. Umesh Lal Verma, APP
For the Informant	:	None

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 08-07-2025 Heard learned counsel for the petitioner, learned

APP for the State and perused the case diary. Despite valid

service of notice, none appears on behalf of the informant.

2. The petitioner seeks bail in connection with Dobhi

P.S. Case No. 200 of 2024, instituted for the offences punishable

under Section 65(2) of the Bharatiya Nyaya Sanhita, 2023, read

with Section 4, 8 and 12 of the POCSO Act.

3. The prosecution case, in short, is that, the petitioner

has committed rape upon the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is delay of three days in lodging the FIR. The allegation levelled against the petitioner is general and omnibus in nature. It is further submitted that the petitioner is *Gotiya* and own cousin brother of the husband of the informant and there is land dispute in between the informant and the petitioner. The petitioner is in custody since 21.10.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is serious allegation against the petitioner of committing rape upon minor daughter of the informant. It is further submitted that the victim in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. has fully supported the accusations against the petitioner. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

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