

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17529 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- BARACHATTI District- Gaya

Sudeshwar Paswan Son of Late Dhaneshwar Paswan Resident of Village-
Basukurbha, P.S.- Mohanpur, Distt.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramjit Manjhi Son of Late Jago Manjhi Resident of Village- Basukurha,
Post- Musail, P.S.- Mohanpur, Distt.- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

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

ORAL ORDER

4 24-06-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Barachatti (Mohanpur) P.S. Case No. 11 of 2024 instituted for
the offences under Sections 363, 365 of the Indian Penal Code
and converted to Sections 302/34 of the IPC.

3. Prosecution case, in short, is that, on the alleged
date and time, the daughter of the informant went missing when
she was playing with other children.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that there is a delay of four



days in lodging the FIR without any cogent explanation, which in itself, raises doubt over the prosecution story. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation on the basis of his self-confessional statement. Learned counsel further submitted that there is no sign of rape and no external injury has been found in the post-mortem report of the deceased. Learned counsel further submitted that in this case, cognizance has been taken under Sections 364, 302, 376(AB), 201/34, 120B of the IPC and Sections 4/6/17 of the POCSO Act. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.01.2024 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP referring to paragraph no. 21 submitted that this petitioner has himself confessed his guilt and stated that he committed rape upon the victim and thereafter committed her murder. Learned APP, therefore, prays that petitioner may not be released on bail.

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



7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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