

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25585 of 2025

Arising Out of PS. Case No.-16 Year-2021 Thana- MAHILA PS District- Gaya

Mukesh @ Mukesh Paswan S/o Late Raja Ram Paswan R/o Village -
Manarsa, P.s - Panchanpur @ Tekari, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shravan Paswan S/O Mahapati Paswan R/O Village-Manarsa,PS-
Panchanpur(Tekari). Distt-Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-07-2025 Heard Mr. Durgesh Nandan, learned counsel for the

petitioner as well as Mr. Chandra Bhushan Prasad, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.11.2024 in connection with Mahila P.S. Case No. 16 of 2021,
F.I.R. dated 14.05.2021 for the offences punishable under
Sections 376(D) and 376 (AB) of the Indian Penal Code and
Section 6 of POCSO Act.

3. According to prosecution case, the petitioner
alongwith other co-accused persons have committed rape upon
the daughter of the informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has



falsely been implicated in this case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 164 Cr.P.C/183 BNSS in which she has categorically stated that the petitioner along with other co-accused persons have committed rape upon her and apart from that the doctor has examined the victim which suggest that the victim has been sexually exploited by the accused persons and age of the victim suggest that she is 9-10 years old.

6. Considering the nature of allegation in the FIR and in support of medical evidence, I am not inclined to enlarge the petitioner on bail in connection with Mahila P.S. Case No. 16 of 2021 pending in the Court of Special Judge POCSO Court cum Additional District and Sessions Judge-VI, Gaya.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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