

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44144 of 2025**

Arising Out of PS. Case No.-140 Year-2024 Thana- KHAJANCHI HAT District- Purnia

Bikram Kumar Paswan @ Vikram Kumar @ Vikram Paswan, Male, aged about 32 years, S/o Jasindar Paswan, R/o Village- Marangga, Ward No. 08, P.S.- Maranga, District- Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Raj Kumar, Advocate

For the Opposite Party : Mr. Brajendra Nath Pandey, A.P.P.

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

ORAL ORDER

3      02-09-2025                      Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial Case No. 532 of 2024, arising out of K. Hat P.S. Case No. 140 of 2024 dated 13.02.2024 registered for the offences punishable under Sections 363, 376, 323, 324, 341, 386 read with Section 34 of the I.P.C.

3. As per the prosecution case, the informant has a betel shop and the petitioner used to come to her shop for buying the goods and initially, his behaviour was good but later on, he started doing bad comment on her and also started abusing her and on 13.11.2023, the informant went to Naugachhiya and the petitioner also went to Naugachhiya in



search of her and the petitioner alongwith his brother Rajesh Paswan and his friend Sumit Roy forcefully took her on the bike and took her to *Gerabari Mandir* and the petitioner forcefully solemnized marriage with her and thereafter, the petitioner took her to Purnea and called some other persons and started abusing her with filthy words. It is further alleged that the petitioner alongwith his brother and friend assaulted her, tied her legs and hands and the petitioner committed rape on her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the alleged occurrence took place on 13.11.2023 and the complaint has been filed on 25.01.2024 which came to be registered as an F.I.R. under Section 156(2) of the Cr.P.C., on 13.02.2024 and there is delay of three months in lodging the F.I.R., and no explanation for such delay has been given by the prosecution. It is submitted that after investigation, police submitted charge sheet only against the petitioner under Sections 363, 376, 504 and 506 of the I.P.C. and thereafter the case was committed to the Court of Sessions and the charge has been framed against him and the case is running at the stage of prosecution evidence but up till now not a single witness has been examined on behalf of the prosecution. The petitioner has



committed no offence and he has falsely been implicated in the present case due to local village politics. The petitioner has no concern with the alleged offence. It is further submitted that the informant is a widow aged about 30 years and she tried to solemnize marriage with the petitioner and when the petitioner denied to do the same then she has filed the present false case against the petitioner. It is further submitted that the informant has not raised any alarm while she was being raped by the petitioner and it would not be possible that after committing rape by the petitioner on the informant, the petitioner would leave the informant on her house. It is further submitted that the physical relationship was established with the consent of the parties. It is further submitted that during the course of investigation, not a single independent witness has supported the prosecution version and except the informant and her mother, no person has supported the prosecution case. The informant in her statements recorded under Sections 161 and 164 of the Cr.P.C. has not stated about the date and time of the alleged occurrence and how she returned her house. It is further submitted that from perusal of the medical report of the informant, it appears that the informant is a major and medical report has not supported the prosecution version and she denied



the detailed medical examination of her by the Medical Board. The other co-accused person, namely, Jasindra Paswan @ Dasindra Paswan @ Dashendra Paswan has already been granted anticipatory bail by the Co-ordinate Bench of this Court in Cr. Misc. No. 57587 of 2024 vide order dated 04.09.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 06.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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 Additional Sessions Judge-I, Purnea in connection with Sessions Trial No. 532 of 2024, arising out of K. Hat P.S. Case No. 140 of 2024 with further 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 bonds of the petitioner are  
liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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