

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45485 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- GAYA MUFASIL District- Gaya

Darshan Kumar Son of Shaukin Ram @ Shokhin Ram Village- Bhusunda
Bara Par Near Gauri Kanya School P. S- Mufassil District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raju Paswan Son of Late Jamuna Paswan Village- Bhusunda Balu Par, P.S-
Mufassil District- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

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

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

ORAL ORDER

5 09-10-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 27 of 2025 instituted for the offence
under Section 137(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution story in a nutshell is that informant's
daughter went missing and was traceless. Hence, the FIR was
lodged.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 14.04.2025. Petitioner
bears no criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that there is delay of 19 days in lodging the FIR. As per statement of the victim recorded under Section 183 of the BNSS, 2023, victim went with the petitioner at her own will and sexual relationship was also made with her. As per medical report, no spermatozoa was found either live or dead.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is mainly submitted by referring to the statement of the victim, who is minor, that though she has stated that she went with the petitioner at her own volition, but later she was left at the railway station. It is lastly submitted that charge sheet has already been submitted in this case under Sections 64 & 96 of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 & 6 of the POCSO Act.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant of bail to the petitioner. Prayer for bail is *rejected*.

8. The Trial Court is directed to expedite the trial as



expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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