

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54910 of 2025

Arising Out of PS. Case No.-1028 Year-2021 Thana- FATUA District- Patna

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Guddu Paswan S/O Ramshray Paswan R/O Village- Narwan, P.S- Fatuha,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar, Advocate
		Mr. Raj Kishore Pandit, Advocate
For the Opposite Party/s :		Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 12-09-2025 1. Heard learned counsel for the petitioner and learned A.P.P for the State.
2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.771 of 2024, arising out of Fatuha P.S Case no.1028 of 2021 registered under sections 376, 354A and 354B of the Indian Penal Code.
3. As per the prosecution case, the informant states that the petitioner, who happens to be a *thekedar*, committed rape on her.
4. Learned counsel appearing for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 29.2.2024 (Annexure-P-1) passed in Cr. Misc. no.74862 of 2023. In spite of the petitioner having remained in custody since 22.4.2023, not having any criminal antecedent and



cooperating in the trial in the learned trial Court, the informant is not turning up for examination and as such is not permitting the trial to proceed and conclude. The petitioner undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 8.9.2025, four out of the five chargesheet witnesses have been examined and the next date fixed for examination in the case is 25.9.2025.

7. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner of having committed rape on the informant together with the informant having supported the prosecution case in her statement under section 164 Cr.P.C and the trial having proceeded with four out of the five chargesheet witnesses having been examined, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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