

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54045 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- PACHMAHLA District- Patna

Mithun Paswan, S/o Late Ram Vilash Paswan @ Late Vilash Paswan, R/o
Village-Hemja, P.S- Pachmahla, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 17-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Pachmahla P.S. Case No.43 of 2025 registered for the offences punishable under Sections 70(1), 115(2), 126(2), 127(2), 352 and 351(3) of the Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is named in the FIR and is in custody since 23.05.2025.

4. Allegation against petitioner is to commit rape upon informant, who is a married lady aged about 30 years.

5. It is submitted by learned counsel appearing for the petitioner that the thrust of allegation *qua* rape is



available against co-accused Subodh Singh, where this petitioner alleged with general and omnibus allegation as to assault the informant and her family members along with other co-accused persons. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover petitioner found involved in one more criminal case, where he is on bail.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* thrust of allegation is not available against this petitioner, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 23.05.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Barh, Patna in connection with



Pachmahla P.S. Case No.43 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

