

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3412 of 2025

Arising Out of PS. Case No.-353 Year-2024 Thana- KONCH District- Gaya

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Gautam Kumar S/O Suresh Paswan R/O Village- Digghi Nathuni Bigha, P.S-
Konch, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. MS. A D/O Late Mantu Paswan R/O Village- Digghi Nathuni Bigha, P.S-
Konch, Dist.- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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

ORAL ORDER

2 24-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with POCSO Case No.
218/2024 arising out of Konch P.S. Case No. 353/2024 dated
21.08.2024 registered for the offences punishable u/s 37 of the
Bihar Prohibition and Excise Act, Sections 126(2), 331(2), 75
and 352 of the BNS and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the petitioner after
consuming the liquor entered the house of the informant and
tried to commit rape on her. When the informant raised alarm,
the petitioner fled away . After sometime, the petitioner returned



again and started abusing and he also threatened them. Thereafter, the police reached there and the petitioner was tested through Breath Analyzer and he was found to have consumed liquor.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on village politics. From the F.I.R., it is apparent that, there is no allegation of sexual harassment or sexual assault on the victim against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.08.2024.

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 Court concerned, Gaya in connection with POCSO Case No. 218/2024 arising out of Konch P.S. Case No. 353/2024 with the 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 is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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