

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89101 of 2024**

Arising Out of PS. Case No.-148 Year-2023 Thana- ARER District- Madhubani

Sunil Kumar Paswan @ Sunil Paswan S/o Bhogendra Paswan R/o village -  
Dhakjari , P.S.- Arer , District – Madhubani ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                                                                                                      |
|----------------------------|---|------------------------------------------------------------------------------------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. Gagandeo Yadav, Advocate<br>Mr. Ravi Prakash, Advocate<br>Mr. Vinod Kumar, Advocate<br>Mr. Udeshya Kumar, Advocate<br>Mr. Rajesh Kumar, Advocate |
| For the Opposite Party/s : |   | Mr. Binod Kumar, APP                                                                                                                                 |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      08-07-2025                      Heard Mr. Gagandeo Yadav, learned counsel for  
the petitioner and Mr. Binod Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Arer P.S. Case No. 148 of 2023, F.I.R. dated 06.10.2023 for the offences punishable under Sections 363, 366(a), 376, 341, 323, 504, 120(B) and 34 of the Indian Penal Code.

3. According to prosecution case, this petitioner kidnapped the daughter of the informant and on the pretext of marriage he repeatedly committed rape upon her.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. Apart from that the medical report of the victim does not



support the allegation as alleged in the F.I.R.

5. Learned Additional Public Prosecutor on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 164 of the Cr.P.C. / Section 183 of the BNSS in which she has categorically stated that the petitioner has committed wrong with her and apart from that the date of occurrence is 06.08.2022 and the medical examination of the victim was conducted on 13.10.2023 i.e., after more than one year.

6. Considering the aforesaid facts and circumstances that the victim has supported the case of the prosecution in her statement recorded under Section 164 of the Cr.P.C. / Section 183 of the BNSS and her medical examination was conducted after one year, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Arer P.S. Case No. 148 of 2023 pending in the court of Sub Divisional Judicial Magistrate I, Benipatti, Madhubani.

7. Prayer is refused.

**(Rajesh Kumar Verma, J)**

Vanisha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

