

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25300 of 2026

Arising Out of PS. Case No.-191 Year-2025 Thana- GAIGHAT District- Muzaffarpur

Sakal Paswan Son of Late Jamuni Paswan Resident of Village - Bhusra, P.S.-
Gaighat, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXX Son of YYYY A.S.I. Gaighat P.S., District - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-04-2026 Heard Mr. Alok Kumar Alok, learned counsel for
the petitioner and Mr. Ganesh Prasad Singh, learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
30.07.2025 in connection with Gaighat P.S. Case No. 191 of
2025, FIR dated 29.07.2025 registered for the offence under
Section 64/64(2)(K) of the Bharatiya Nyay Sanhita, 2023.

3. Allegation against the petitioner is that he
committed rape with a mentally unstable girl.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this 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. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 30.07.2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has committed rape with a mentally unstable girl and number of witnesses have supported the case of the prosecution and apart from that the alleged incident was captured in a CCTV camera installed in CSP shop of Manoj Kumar and when the said CCTV footage was watched and it was found that the petitioner committed rape upon the victim.

6. Considering the facts and circumstances of the case as well as nature of allegation supported by electronic evidence, I am not inclined to enlarge the petitioner on bail in connection with Gaighat P.S. Case No. 191 of 2025, pending in the Court of Exclusive Special Court, POCSO-III, Muzaffarpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Suruchi/-

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

