

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28106 of 2026

Arising Out of PS. Case No.-164 Year-2024 Thana- VAISHALI District- Vaishali

Sanjay Paswan S/O Balak Paswan R/O Vill.- Chakgulamuddin, P.S.- Vaishali
(Belsar O.P.), P.O.- Patera Jayram, Dist.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Informant W/O Rajesh Paswan R/O Vill.- Chakgulamuddin, P.S.- Vaishali
(Belsar O.P.), Dist.- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raja Ram Rai, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Fahad Khurshid, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 20-07-2026 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner seeks bail in connection with
Vaishali (Belsar O.P.) P.S. Case No. 164 of 2024, instituted for
the offences punishable under Sections 342, 336, 337, 338, 376,
511 of the Indian Penal Code, read with Sections 8 and 12 of the
POCSO Act.

3. The prosecution case, in short, is that petitioner
abducted the minor daughter of the informant and tried to
commit rape upon her.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that both the informant and petitioner are co-villagers and both the parties have land dispute in between them. It is next submitted that the victim in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has stated about her abduction by the petitioner but she has not mentioned anything about attempt to rape against him. It is further submitted that the trial is in progress and till date only two witness has been examined in this case. The petitioner is in custody since 04.05.2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Vaishali (Belsar O.P.) P.S. Case No. 164 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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