IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38961 of 2026

CNR No. BRHC010565912026

Arising Out of PS. Case No.-54 Year-2025 Thana- MAHILA P.S. District- Araria

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Rohit Paswan @ Rohit Kumar Paswan S/o Lalit Paswan R/o Mohalla-Matasthan, Bhagat Tola ,Ward No -28 P.S and District-Araria

... ... Petitioner/s

Versus

1. The State of Bihar
2. XXX D/o YYYf R/o Mohalla-Matasthan, Bhagat Tola ,Ward No -28 P.S and District-Araria

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Madhav Jha, Advocate
For the Opposite Party/s : Mrs. Dr. Indiwar Kumari, APP
For the Informant : Mr. Abhinav, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 28-10-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Araria Mahila P.S. Case No. 54 of 2025 instituted for the offences under Sections 126(2), 115(2), 96, 64, 352, 351(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the POCSO Act.

3. Accusation against the accused persons including the petitioner is of commission of rape upon the informant.

4. Learned counsel for the petitioner submitted that the

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petitioner is innocent and has falsely been implicated in the present case in order to pressurize him. There is no independent witness to support the allegation as levelled in the F.I.R. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.03.2026 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has corroborated the contents of the FIR, and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also Section 183 BNSS statement of the victim, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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