IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56033 of 2026

CNR No. BRHC010808232026

Arising Out of PS. Case No.-46 Year-2026 Thana- KOTHI District- Gaya

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Radhey Paswan Son of Late Chandu Paswan Resident of Village- Barakala, P.S.- Kothi, District- Gaya Ji

... ... Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Y Resident of Village- Barakala, P.S.- Kothi, District- Gaya Ji

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

4 30-10-2026 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Kothi PS Case No. 46 of 2026, instituted for the offence under Sections 65(1), 88 of B.N.S. 2023 and Sections 4 and 6 of POCSO Act.

3. The prosecution case, in brief, is that the daughter of the informant used to go with the petitioner for grazing goats. It is alleged that the petitioner coaxed her daughter and started making physical relation with her. It is further alleged that when the daughter of the informant suffered internal pain, they went to doctor and came to know that fetus is of 4-5 months and the

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same was aborted. It is also alleged that when the informant went to the petitioner's house to inquire about the matter, he daringly accepted his guilt.

4. The learned counsel for the petitioner submits that the petitioner has clean antecedents. Learned counsel further submits that the petitioner is languishing in custody since 17.04.2026 and charge-sheet has been filed. Learned counsel next submits that the petitioner has falsely been implicated in this case. Lastly, it is submitted that the petitioner is aged about 62 years old.

5. The learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard the parties and taking into consideration the nature of allegation levelled against the petitioner as well as the statement of the victim recorded under Section 183 of B.N.S., this Court is not inclined to grant bail to the petitioner.

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

(Alok Kumar, J)

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