

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71064 of 2025

Arising Out of PS. Case No.-333 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Sandeep Paswan @ Sandeep Kumar, Male, aged about 22 years, S/o Jogindar Paswan, resident of village- Madhubani Ghat, P.S.- Muffasil, District- East Champaran at Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deolal Paswan, son of Ram Chandra Paswan, R/o Village- Madhubani Ghat, P.S - Muffasil, District - East Champaran at Motihari

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Radha Mohan Singh, Advocate
For the State	:	Mr. Mohammad Sufyan, APP
For the OP No.2	:	Mr. Manjeet Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner; learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

2. The petitioner seeks bail in connection with Muffasil PS Case No.333 of 2025 dated 29.05.2025, instituted for the offence punishable under Sections 126(2), 115(2), 65(1), 70(2), 352, 351(2) and 3(5) of the *Bharatiya Nyaya Sanhita*, 2023, and Section 4 of the Protection of Children from Sexual Offences Act.

3. The prosecution case, in brief, is that on the alleged date of occurrence at about 1.00 in the night, the minor daughter



of the informant was coming home after attending marriage ceremony of the daughter of Jogindar Paswan. On the way, the petitioner and another co-accused caught her and forcibly established physical relation with her by gagging her mouth and also threatened her to kill. When the informant visited the house of the accused persons to inform about the incident, accused persons had abused and tried to assault him.

4. Learned counsel for the petitioner submits that from the FIR itself it would appear that there was marriage ceremony going on in the house of the petitioner and it is highly improbable that the petitioner would commit such an act in whose house marriage ceremony of his sister was going on. The petitioner is the next door neighbor of the informant. There is no document to show that the victim is a minor. Further submission is that the medical report does not support the case of the prosecution. Further submission is that the petitioner is in custody since 30.05.2025 having clean antecedents.

5. Learned APP as well as learned counsel for the informant has opposed the prayer for bail. Learned counsel for the informant submits that statement of the victim has been recorded under Section 183 of the *Bharatiya Nagrik Suraksha Sanhita*, 2023, in which, she has clearly supported the allegation



against the petitioner and another accused.

6. Having regard to the nature of allegation levelled against the petitioner and the materials available on record, I am not inclined to release the petitioner on bail at present.

7. Accordingly, prayer of the petitioner for bail is rejected for the present.

8. The learned trial Court is directed to expedite the trial and take all endeavor to conclude the trial as early as possible, preferably, within a period of one year from the date of receipt/production of a copy of this order.

9. The application stands dismissed.

(Khatim Reza, J)

J. Alam/-

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