

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76766 of 2025

Arising Out of PS. Case No.-212 Year-2025 Thana- BELAGANJ District- Gaya

Rajesh Paswan S/O Late Ramchandra Paswan R/O Vill.- Dariyapur, P.S.-
Belaganj, Dist.- Gaya, Wrongly mentioned in Impugned order as Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the
petitioner in connection with Belaganj P.S. Case no.212 of 2025
registered under section 64(1) of BNS, 2023.

3. Allegation in the F.I.R is that petitioner committed
rape with the informant/victim.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case which
would be evident from the fact that although the name of the
petitioner appears in the FIR with a specific allegation that he
was grazing goats while the victim/informant was grazing her
goats and petitioner committed rape upon her, but in the
statement of the victim recorded under Section 183 of BNSS,



she has not taken the name of the petitioner and when asked about the boy, she has only stated that she does not know the name of the boy and upon general assessment, the court concerned has opined that victim is mentally unsound. Further, the medical examination report of the victim/informant discloses her age to be above 19 years and no recent sign of any sexual intercourse has been found, rather the hymen has been found intact with no tear laceration or bleeding. The petitioner is in custody since 19.05.2025 with no criminal antecedent and charge sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the fact that the name of the petitioner does not transpire in the statement of the victim recorded under Section 183 B.N.S.S., coupled with the medical report, the petitioner is directed to be enlarged on bail in connection with Belaganj P.S. Case no.212 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court, subject to the further condition that



petitioner shall remain physically present in the learned trial Court on each date and shall cooperate in the trial. In case the petitioner is absent on the two consecutive dates without sufficient reasons, the learned trial Court would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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