

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80961 of 2025

Arising Out of PS. Case No.-410 Year-2025 Thana- CHANDI District- Nalanda

=====

Gaurav Kumar Son of Munna Prasad @ Munna Ram Resident of Village
-Gauri PS- Chandi District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Biresh Paswan Son of Bijindra Paswan Resident of Village-Gauri, P.S.-
Chandi, District-Nalanda

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Tej Narayan Singh, Advocate Ms. Minu Kumari, Advocate
For the Opposite Party/s :		Mrs. Usha Kumari 1, APP

=====

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

ORAL ORDER

5 13-03-2026 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Chandi
P.S. Case No. 410 of 2025, instituted for the offences punishable
under Sections 123, 74, 64(1) of the Bharatiya Nyaya Sanhita,
2023, read with Sections 4, 6, 8, 12 of POCSO Act, Sections
3(2)(v) and 3(1)(w)(ii) of SC/ST Act.

3. The prosecution case, in short, is that the petitioner
intoxicated informant's minor niece with an intention 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 the allegation levelled against the petitioner is general and omnibus in nature. It is next submitted that medical report of the victim does not support the prosecution case. The petitioner is in custody since 28.07.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation levelled against the petitioner and the victim has supported the prosecution case in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

