

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90405 of 2025

Arising Out of PS. Case No.-777 Year-2024 Thana- ARA NAWADA District- Bhojpur

Gulshan Kumar @ Gulshan Paswan S/o Late Mukesh Paswan R/o Village -
Bahiro, P.S - Ara Nawada, District - Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. X D/o Y R/o Village - Bahiro, P.S - Ara Nawada, District - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Pandey
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-02-2026 Heard the parties.

2. This is the second attempt of the petitioner for grant of regular bail in connection with POCSO Case No. 16 of 2025 arising out of Ara Nawada P.S. Case No. 777 of 2024 registered for the offence under Sections 65(1), 70(2) of BNS and under Sections 4(2), 6, 8, 10 of the POCSO Act, 2012. Earlier the bail application of the petitioner was rejected vide order dated 16.04.2025 passed in Cr. Misc. No. 16701 of 2025 which reads as under:-

“Heard learned counsel for the parties.

2. This application for grant of regular bail arises out of Ara Nawada P.S. Case No.777 of 2024 registered for the offence punishable under section 65(1) & 70(2) of the B.N.S., 2023 and under section



4,6,8 and 10 of the POCSO Act.

3. The petitioner and co-accused are said to have committed rape with the victim. The petitioner is in custody since 19.11.2024.

4. Considering the nature of allegation levelled against the petitioner, I am not inclined to grant the petitioner privilege of regular bail. Accordingly, this bail application is rejected.”

3. It has very fairly been submitted by the learned counsel for the petitioner that the trial is progressing and out of eight charge-sheeted witnesses, five witnesses have already been examined.

4. In view of the fact that the trial is progressing and the considering the gravity of the offence, this Court finds no new ground to review its earlier order.

5. Accordingly, this application is dismissed.

6. The Superintendent of Police, Bhojpur is directed to ensure the attendance of the witnesses in the trial.

7. Let a copy of this order be communicated to the Superintendent of Police, Bhojpur through FAX for its compliance.

(Sandeep Kumar, J)

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