

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1001 of 2026

Arising Out of PS. Case No.-274 Year-2025 Thana- BARAHAT District- Banka

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Bibhash Paswan @ Bibhash Pashwan @ Chowkidar Bibhash Paswan @
Bibhash Kumar S/O Late Satto Pashwan @ Sachida Paswan R/O Vill and
P.O- Pathra, P.S- Barahat, Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/O Jaykant Razak R/O Vill and P.S- Barahat, Dist- Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Jha, Advocate
For the State	:	Ms. Renuka Ratnakar, APP
For the Informant	:	Mr. Sudhir Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

4 09-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Barahat P.S. Case No. 274 of 2025 registered for the offences punishable under Sections 64, 352, 351(2) of the BNS and Section 4/6 of the POCSO Act.

3. As per the prosecution case, the petitioner, who happens to be a chowkidar, is alleged to have committed rape upon the informant.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that the alleged rape is said to have been committed in a hotel, which is a busy public place where many persons reside, yet no hue and cry was raised. It has also been contended that there is a dispute between the parties, and in the background of that dispute, the petitioner has been falsely implicated in a pre-planned manner. Lastly, it has been submitted that the petitioner has clean criminal antecedent and is in custody since 27.08.2025.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner.

6. Upon perusal of the record and consideration of the submissions of the parties, it appears that the statement of the victim recorded under Section 183 of the BNSS, which was called for by order dated 15.01.2026, indicates that there are serious allegations against the petitioner, including the commission of rape. Moreover, the trial has commenced, and out of nine charge-sheet witnesses, one witness has been examined.

7. In view of the aforesaid fact and circumstance, this court is not inclined to grant bail to the petitioner and the same



is hereby rejected.

(Praveen Kumar, J)

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