

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11522 of 2017

Arising Out of PS.Case No. -202 Year- 2016 Thana -BAHADURPUR District- PATNA

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Chanchal Kumar @ Chanchal Kumar Singh @ Ajeet Kumar, son of
Rabindra Nath Singh, resident of Village- Kalyanpur, Police Station-
Surjapur, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 20-04-2017

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The Petitioner seeks bail in Bahadurpur P.S.

Case No. 202 of 2016, pending in the Court of 1st Additional
Sessions Judge-cum-Special Judge, POCSO, Patna instituted for
the offence under Section(s) 363, 366(A) of the Indian Penal
Code, subsequently Section 376 I.P.C was also added.

The informant has alleged in the written report
that her daughter aged about 16 years became traceless from the
house when she had gone to purchase copy from the shop. The
informant has raised suspicion against one Deepak Sharma who
used to talk with her daughter.

The victim girl, on her recovery gave her
statement under Section 164 Cr.P.C levelling specific allegation



against this petitioner of committing illegal act with her and also of preparing a video of that act in his mobile. The girl has stated her age to be 16 years in her statement under Section 164 Cr.P.C and the Court has also assessed her age to be 16 years.

Learned A.P.P. after going through the case diary has stated that during investigation the date of birth of the victim girl has been found to be 01.12.2001.

It has been submitted by learned counsel for the petitioner that in the medical report the age of the victim girl has been assessed between 17-19 years and there was no finding of rape.

Keeping in view the specific allegation made by the victim in her 164 Cr.P.C statement and the Court also assessed the age of the victim girl to be 16 years, this Court is not inclined to grant bail to the petitioner at this stage. The prayer of the petitioner for grant of bail is rejected.

The Trial Court is directed to expedite the trial.

The petitioner is at liberty to renew his prayer for bail after six months if no substantive progress is made by the Trial Court.

(Sanjay Priya, J)

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