

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11843 of 2019**

Arising Out of PS. Case No.-129 Year-2018 Thana- MAHILA P.S. District- Bhojpur

CHHOTE @ SANTOSH CHOUDHARY, S/o Ramashray Chaudhary @  
Barak Chaudhary, Resident of Village - Narayanpur, P.S. - Piro (Hasan  
Bazar), District Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      06-05-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 376(d) of the Indian Penal  
Code and Section 6 of the Protection of Children from Sexual  
Offenses Act, 2012.

The FIR discloses commission of gang rape against  
the informant by others including the petitioner. The informant,  
who is a minor girl, has supported the allegation in her  
statement under Section 164 Cr.P.C.

The informant cannot be disbelieved at this stage only  
on the ground that submission of the learned counsel for the  
petitioner is that the allegation is not corroborated by medical  
evidence. There is no explanation that how she reached at the



place of occurrence.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge him on bail in connection with POCSO Case No. 63 of 2018 arising out of Bhojpur Mahila Police Station Case No. 129 of 2018 pending in the court of learned 1<sup>st</sup> Additional Sessions Judge, Ara, Bhojpur.

Hence, prayer for bail is refused.

Learned trial court is directed to expedite the trial.

**(Birendra Kumar, J)**

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