

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42952 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- MAHILA PS District- Gopalganj

Chandrama Sah, Son of Sri Krishun Sah @ Kishun Sah Resident of village-
Rampur Khreya, Police Station- Kuchaikote, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence under Sections 376(2),323,341,504,379/34 of the Indian
Penal Code and Section 4/8 of the POCSO Act, 2012.

According to the FIR, the petitioner allegedly
ravished to the informant. The victim has supported the
allegation against the petitioner in her statement recorded under
Section 164 Cr.P.C.

Learned counsel for the petitioner submits that doctor
has not found any sign of sexual assault. While medically
examined the victim, age was assessed between 18 to 19 years.

Considering the nature of allegation and the fact that
the informant cannot be disbelieved at this stage only due to



some otherwise opinion of the doctor, therefore, this Court is not inclined to grant bail to the petitioner.

Accordingly, his prayer for bail is rejected.

The trial court is directed to expedite the trial and make attempts to conclude the trial on day to day basis, preferably within a period of nine months from the date of framing of the charges, failing which the petitioner would be at liberty to renew the prayer of bail before the trial judge itself.

(Birendra Kumar, J)

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