

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19939 of 2021

Arising Out of PS. Case No.-504 Year-2020 Thana- MANER District- Patna

CHANDRMA SHAH @ CHANDRAMA SAW SON OF LATE RAM
RATAN SAO @ RAM RATAN SHAH R/O VILLAGE- DARWESH PUR,
P.S.- MANER, DISTRICT- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Anand, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-10-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Maner P.S.
Case No.504 of 2020, Spl. (POCSO) Case No.166/2020,
registered for the offence punishable under Sections 341, 342,
328, 506 of the Indian Penal Code and section 6 of POCSO Act.

The prosecution case as alleged by the informant is that
this petitioner has sexually assaulted his minor son in his
abandoned house and left the victim outside his house.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. No offence as alleged has ever taken
place. He has been falsely implicated in this case due to dirty



village politics. All the allegations are vague, general and not tenable and there is not a single independent witness who has supported the alleged occurrence. There is no injury report which can sustain the prosecution story and the allegations of making the victim boy consume alcohol is also false. The petitioner has no criminal antecedent and has been languishing in custody since 13.09.2020.

Learned APP for the State opposed the prayer for bail by submitting that there is ample evidence against the petitioner. The victim is a minor of 10 years. Charge sheet has been submitted in this case.

Considering the facts and circumstances of this case, since the victim is a minor, I am not inclined to grant bail to the petitioner. Thus, the prayer for bail of the petitioner is hereby rejected.

However, learned Trial court is directed to expedite the trial as expeditiously as possible.

The bail application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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