

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27522 of 2021

Arising Out of PS. Case No.-50 Year-2020 Thana- ATHMALGOLA District- Patna

CHANDAN KUMAR SINGH @ CHANDAN KUMAR Son of Nepali
Kumar Singh @ Shiv Kumar Singh Resident of Village - Suryapur, P.S. -
Athmalgola, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Ms. Priyanka Singh, Adv.
For the State	:	Ms. Madhuri Lata, APP
For the Informant	:	Mr. Tej Narayan Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 08-12-2021 Heard learned senior counsel for the petitioner,

learned A.P.P. for the State and learned counsel for the

informant.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 376 of the
Indian Penal Code and section 6 of the POCSO Act.

As per the prosecution case, the petitioner is stated
to have committed rape on the 16 yer old handicapped daughter
of the informant.

It is submitted by learned senior counsel appearing
for the petitioner that the petitioner has been falsely implicated
in the case. From perusal of Annexure-3 to the petition, which is



a report of the medical board, it would be evident that the petitioner himself is handicapped having moderate wasting of muscles and deformity of foot. Besides being a handicapped, the petitioner is also a railway employee and there is no chance of his absconding. From perusal of the F.I.R., it would transpire that the alleged victim was not in a position to speak and the medical report does not substantiate the rape. The petitioner is in custody since 2.1.2021.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the direct allegation of committing rape against the petitioner in the F.I.R., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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