

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38377 of 2020

Arising Out of PS. Case No.-178 Year-2019 Thana- MAHILA P.S. District- Nalanda

Amul Chauhan @ Amul Kumar Son of Late Jagdish Chauhan Resident of
Village- Beldariyapur, P.S.- Giriyak, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Prasad, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 25-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 341/323/326/504/376 of the Indian Penal Code and Section 4/10 of the POCSO Act in connection with Mahila P.S. Case No. 178 of 2019.

According to complaint based FIR, on 22.03.2019 when the complainant, a girl aged about 14 years and a student of Class-VIII, had gone to attend natural call the petitioner forcefully ravished her. When the matter was brought to the village Panchayat just to save the social image of the girl the matter was hushed up. Again the petitioner attempted to ravish her on 01.06.2019. When the matter was complained to the family members, they committed assault and complaint was



filed on 15.07.2019 when the police did not register the case.

Learned counsel for the petitioner submits that the victim admits in respect of occurrence dated 01.06.2019 that she had gone along with the petitioner to a room on assurance of the petitioner that he would give her books. As such, she was willing party.

Learned counsel for the informant opposed the prayer for bail.

Since the victim was a minor, her consent is immaterial. Therefore, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail is refused. The trial Court is directed to expedite the trial.

(Birendra Kumar, J)

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