

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3659 of 2021

Arising Out of PS. Case No.-44 Year-2019 Thana- MAHILA P.S. District- Banka

Chandan Kumar Choudhary, aged about 25 years, Male, son of Shibu Choudhary @ Shiv Charan Chaudhari, Resident of Village - Kumarkhal, P.S.- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate
For the State : Mr.Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 07-04-2021 Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Banka Mahila P.S. Case No.44 of 2019 registered for the offences punishable under Sections 376, 341, 323, 504, 506/34 of the Indian Penal Code.

By order dated 01.02.2021, a report was called for regarding stage of the trial in connection with Banka Mahila P.S. Case No.44 of 2019. The report is at Flag 'R'.

Perused the report of the learned I/C Sub-Divisional Judicial Magistrate, Banka in which it is stated that the statement of the victim under Section 164 Cr.P.C. has been recorded on 14.08.2019. Accused Chandan Kumar Coudhary



(petitioner) had surrendered in the court on 04.10.2019 and accused is in custody since 01.10.2019. Charge sheet and original case diary has been received on 20.01.2020 but cognizance has not yet been taken because of Presiding Officer has been promoted and since then the court of S.D.J.M. is vacant.

In the facts and circumstances of the case, I am not inclined to enlarge the above named petitioner on bail. Accordingly, the prayer for bail of the above named petitioner in connection with Banka Mahila P.S. Case No.44 of 2019 is hereby rejected. However, the petitioner may renew his prayer for bail after four months if the cognizance is not taken.

(Anjani Kumar Sharan, J)

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