

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10134 of 2021

Arising Out of PS. Case No.-236 Year-2020 Thana- DHANAHA District- West Champaran
=====

Ravindra Chaudhary Son of Achhelal Chaudhary Resident of Dahwa, P.S.-
Dhanha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP
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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376 and 506 of the Indian Penal Code and section 4 of the POCSO Act.

As per allegation in the F.I.R., the 14 years old minor daughter of the informant was taken away by the petitioner who committed rape and thereafter threatened her.

It is submitted by learned counsel for the petitioner that there is a delay of 4 days in lodging of the F.I.R. with no reasonable explanation for the same. The daughter of the informant was examined by the doctor and the medical report does not support the allegations in the F.I.R. In their statement under section 164 Cr.P.C., both the informant as also her



daughter have not made any allegations of rape on the petitioner. The petitioner is in custody since 10.10.2020 and investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made by learned counsel for the petitioner together with the contents of the statement under section 164 Cr.P.C. and the petitioner having remained in custody for more than 8 months, the Court directs the petitioner to be enlarged on bail in connection with Dhanaha P.S. Case no.236 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII-cum-Special Judge, Bettiah, West Champaran.

(Partha Sarthy, J)

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