

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6251 of 2022

Arising Out of PS. Case No.-04 Year-2018 Thana- MAHILA P.S. District- Muzaffarpur

CHANDESHWAR SAH S/o- Bhairo Sah R/o- Village - Baghakhal, P.S.-
Gayghat, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The present petition has been filed by way of second attempt at the behest of the petitioner for grant of bail in connection with S. Tr. No. 22 of 2021 arising out of Mahila P.S. Case No. 04 of 2021 under sections 376, 406 and 420 of the Indian Penal Code inasmuch as the earlier prayer of the petitioner for grant of bail was rejected by this Court vide order dated 12.03.2021 passed in Criminal Misc. No. 36356 of 2020.

The allegation is regarding the petitioner having come in contact with the prosecutrix, whereafter he had lured her and had assured her of providing government job and on the pretext thereof, he had sexually assaulted the prosecutrix regularly.

The learned counsel for the petitioner has submitted that though the petitioner is languishing in custody since 10.08.2020,



however, the trial is nowhere near completion, hence the petitioner be granted the privilege of bail.

Per contra, the learned A.P.P. for the State has submitted by referring to the earlier order of this Court dated 12.03.2021 that the prosecutrix, in her statement under Section 164 Cr.P.C. before the learned Magistrate, has fully corroborated the alleged heinous crime committed by the petitioner and moreover, the medical report also supports the allegation levelled by the informant regarding the petitioner having sexually exploited the prosecutrix.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail apart from the fact that the complicity of the petitioner in the alleged crime is writ large, I do not find any merit in the present petition, hence the same stands dismissed.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

