

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32237 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- RAMNAGAR District- West Champaran

CHANDAN RAM @ CHANDAN RAM @ CHANDAN KUMAR RAM S/O
SUNIL RAM R/o village- Beli Belwa Khatauri, P.S.- Ramnagar, District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

10 19-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Ramnagar P.S. Case No. 98/2020 (POCSO 77/2020) registered
for the offence punishable under Section 376 of the Indian Penal
Code 1860 and Section 4 of POCSO Act.

The allegation against the petitioner is that he
committed rape upon the minor daughter of the informant while
the parents of the victim girl had gone somewhere. It has further
been alleged that while committing rape, the videography of the
victim was also done by the petitioner.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to the fact



that the petitioner is neighbour of the informant and there is long standing dispute between the informant and the petitioner, the petitioner has been implicated in this case. The petitioner is in custody since 11.4.2020.

On the other hand, learned counsel for the State submits that during course of investigation the videography of the victim girl done by the petitioner shows that the petitioner has committed rape upon her.

This Court vide order dated 6.4.2022 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned Additional District and Sessions Judge-VI-cum-Spl. Judge (POCSO), Bettiah, West Champaran, dated 27.4.2022 is on record and from perusal of the same, it appears that four prosecution witnesses have been examined. However, the Public Prosecutor has subsequently, filed a petition for examination of Doctor on the ground of evidence of the Doctor is necessary in this case. Learned trial court has given the estimated time for conclusion of the trial within three months.

In view of the fact that *prima facie* evidence is there against the petitioner and the trial is at the verge of completion, I am not inclined to grant regular bail to the petitioner.



Accordingly, the prayer for bail of the petitioner stands rejected.

However, the petitioner may renew his prayer for bail after three months if the trial does not conclude.

(Anil Kumar Sinha, J)

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