

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40245 of 2022

Arising Out of PS. Case No.-84 Year-2021 Thana- DAGARUA District- Purnia

CHAMAN RISHI @ CHAMRU RISHI @ CHAMRU KUMAR Son of -
Chhotu Rishi @ Chhti Rishi @ Chhote Lal Rishi Resident of Village - Raunia
Malikpur, Police Station- Kadwa, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-10-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Dagarwa P.S. Case No. 84 of 2021 under Sections 326, 376,
364, 366(A) and 506/34 of the Indian Penal Code and Section
¾ of the POCSO Act.

As per the prosecution story, the allegation is that
when the wife of the complainant was out of home and his
daughter was cooking, the accused persons entered and took
away the victim girl. It has further been alleged that they kept
her for three days and committed rape on her. The further



allegation is that when the wife of the complainant went to the police station, the accused persons were sitting there. She was later brought to the police station where again the police failed to record the FIR forcing them to file complaint.

If what has been narrated in the FIR is correct, it shows the very sorry state of affairs in the State of Bihar wherein the mother of the victim girl was pleading in the police station to save her daughter but no FIR was lodged forcing them to take recourse to judicial remedy before the competent Court.

So far as the allegation is concerned, considering the allegations that has been narrated in the complaint, this Court is not inclined to grant relief to the petitioner and the bail application is accordingly rejected.

The Trial Court is directed to expedite the trial and conclude the same preferably within a period of one year.

(Rajiv Roy, J)

Jagdish/Neha-

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