

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9789 of 2023

Arising Out of PS. Case No.-50 Year-2020 Thana- ATHMALGOLA District- Patna

CHANDAN KUMAR @ CHANDAN KUMAR SINGH Son of Shiv Kumar
Singh @ Nepali Kumar Singh Resident of Village- Suryapura, P.O.- Karjan,
P.S.- Athmalgola, District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 03-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Spl. (POCSO) Case no.52 of 2020 (arising out of Athmalgola P.S. Case no.50 of 2020) registered under section 376 of the Indian Penal Code and section 6 of the POCSO Act.

3. The earlier prayer for bail of the petitioner was rejected vide order dated 8.12.2021 passed in Cr. Misc. no.27522 of 2021.

4. As per the prosecution case, the petitioner is said to have committed rape on the minor daughter of the informant.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The petitioner himself is a handicapped. He is in custody since 2.1.2021 and



there is no chance of the trial concluding in the near future. He undertakes to cooperate in the trial.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 5.4.2023, seven witnesses including investigating officer has been examined on behalf of the prosecution. Three witnesses remained to be examined.

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

8. Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the age of the alleged victim, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

9. Learned trial Court is directed to expedite the trial and to conclude the same within a period of six months.

10. Liberty is granted to the petitioner to renew his prayer for bail in the learned Court below, if the trial is not concluded within six months.

(Partha Sarthy, J)

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