

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26540 of 2023

Arising Out of PS. Case No.-72 Year-2022 Thana- MAHILA P.S BAGHA District- West
Champaran

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CHANDAN KUMAR @ CHANDAN RAM SON OF SHAMBHU RAM
VILLAGE- PACHGAVA PS- SEMRA, DISTRICT -WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted for
the offence under Sections 376, 313, 323, 504/34 of the IPC,
Section 8 of the POCSO Act and Charge-sheet has been submitted
under Sections 376, 313 of the IPC and Section 8 of the POCSO
Act.

The allegation against the petitioner is of raping the
informant on the false pretext of marriage, when she went to attend
nature's call.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner and victim
have consensual relationship. Petitioner is languishing in judicial



custody since 04.02.2023.

Learned APP for the State has opposed the application for bail and submitted that the statement of the victim girl has recorded u/s 164 of the Cr.P.C., in which she specifically stated that the petitioner committed rape upon her without her consent, due to which she became pregnant. Victim is a minor girl, who is aged about 16 years. During investigation several witnesses have also supported the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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