

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30170 of 2023

Arising Out of PS. Case No.-47 Year-2021 Thana- MAHILA P.S. District- Sheikhpura

RITU RAJ CHAUHAN Son of Late Prithwiraj Chauhan Resident of village -
Tarapar, P.S. - Ariyari, Distt. - Sheikhpura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bharat Lal
For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-10-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under section 376, 448, 504, 506, 34 of the Indian Penal Code and Sections 4, of the POCSO Act and Section 67(A) of the IT Act.

3. As per FIR, the informant alleged that the co-accused forcibly entered into his house and committed rape with her daughter and after making video of the alleged occurrence fled away from there. It is further alleged that the petitioner viraled the alleged video on Facebook.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. The FIR has been lodged after delay of 84 days without given any cogent reason rather the petitioner has falsely been implicated in this present case due to dirty village politics. There is no specific allegation of commission of rape levelled against the petitioner rather it has been levelled against co-accused, namely, Vinod Kumar Singh. As per Annexure-2, the victim has not supported the persecution version as she turned hostile.

5. From perusal of progress report, which has been received on 19.06.2023, it appears that not a single has been examined as yet. Learned counsel for the petitioner is submitted that there is no hope to conclude the trial in near future rather the petitioner is languishing in judicial custody since 10.11.2022.

6. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sheikhpura Mahila P.S. Case No. 47 of 2021 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum Special Judge POCSO Act, Sheikhpura.

(Sunil Kumar Panwar, J)

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