

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40484 of 2022

Arising Out of PS. Case No.-189 Year-2021 Thana- BAIRIYA District- West Champaran

Rajkumar Chaudhary Son Of Chandi Chaudhary Resident Of Village- Balua
Rampurwa, P.S.- Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-01-2023 Heard learned counsel for the petitioner, learned
counsel for the State and perused the case diary.

The petitioner is in custody in a case registered for the
offence punishable under Sections 376, 312 and 506 of the
Indian Penal Code and Section 4 of the POCSO Act.

Allegedly, the victim, who is minor daughter of the
informant, in her statement recorded under Section 164 of the
Cr.P.C has alleged that the petitioner and one another took her
at about 8 P.M. and committed wrong with her and also the
petitioner got abortion of her pregnancy.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that the medical report does not support the allegation
made against the petitioner. He further submits that she did not



make any complaint against the petitioner during the period of three months while she lived with the petitioner.

Learned APP appearing for the State has opposed the prayer for regular bail and submitted that there is specific allegation of overt-act and having sexual relation with the victim who is a minor.

After considering the facts and circumstances of the case, I am not inclined to grant regular bail to the petitioner.

Prayer for regular bail of the petitioner is hereby rejected.

However, the trial Court is directed to expedite the trial expeditiously.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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