

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51716 of 2022

Arising Out of PS. Case No.-250 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

Mahendra Chauhan @ Mahendra Kumar Son of Sri Sheshmuni Chauhan R/V-
Akhalasapur, P.S and P.O- Akhalasapur, Bhabhua, District - Kaimur
(Bhabhua), Bihar 821101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Roona, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 17-02-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Bhabua P.S. Case No. 250 of 2022 (POCSO) Case No. 17 of 2022) registered for the offences punishable under Sections 366-A, 376 & 506 of the Indian Penal Code & Section 6 of the POCSO Act.

At the outset, it is submitted by learned counsel for the petitioner that in view of the liberty granted to the petitioner



vide order dated 13.02.2023 the soft copy of supplementary affidavit has been filed through online mode and its hard copy is being filed today before this court.

In view of the above submission, let the hard copy of supplementary affidavit be kept on record.

As per the prosecution, the informant alleged that her minor daughter aged about 14 years was raped forcefully several times by this petitioner at the alleged place where he kept the victim tied up.

On the merit, it is submitted by learned counsel Ms. Roona for the petitioner that the petitioner has been languishing in jail for last nine months having fair and clean antecedent and the so-called victim as well as other material witnesses have been examined and the said victim examined as P.W. 2 made contradictory statement in her chief-examination as well as cross-examination with regard to taking the victim by this petitioner on a motorcycle on the relevant date of the alleged occurrence and the medical expert who examined the victim gave the opinion that there was no evidence of physical and genital assault to the so-called victim.

Learned APP Mr.Pradeep Narain Kumar appearing for the State has opposed the bail prayer.



In view of the facts, as stated above and considering the petitioner's fair and clean antecedent and his custody period, this court is inclined to accept his bail prayer. Accordingly, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Bhabua P.S. Case No. 250 of 2022 (POCSO) Case No. 17 of 2022.

(Shailendra Singh, J)

Rajiv/-

U		T	
---	--	---	--

