

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6065 of 2024

Arising Out of PS. Case No.-222 Year-2022 Thana- RAJAOLI District- Nawada

Chandan Kumar Son Of Tunna Rajvanshi Resident Of Village- Mahthadih
(Mathadih), Ps- Rajauli, Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Rajauli P.S. Case No. 222 of 2022 instituted for the offence under Sections 341, 342, 323, 325, 376(D), 506, 34 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

3. As per allegation in the FIR, the petitioner along with co-accused Golu Kumar is alleged to have committed rape of the informant, aged about 16 years by wrapping her mouth. It is further alleged that the accused persons also assaulted the victim/informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has



falsely been implicated in this case. As per FIR, the victim alleged that that petitioner along with co-accused Golu Kumar committed rape upon her but she changed her statement recorded u/s 161 of Cr.P.C. and stated that only petitioner has committed rape. It is further submitted that the medical report has not supported the prosecution case. The petitioner has got no criminal antecedent and he is languishing in judicial custody since 12.7.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the victim is minor who specifically stated in her statement recorded u/s 164 of the Cr.P.C. that while she along with her sisters going, the petitioner and Golu Kumar caught her and this petitioner forcibly committed rape and thereafter assaulted her. She also stated her age about 17 years. The victim girl was medically treated on the same day. It is also submitted that witnesses of the case have supported the prosecution version.

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

7. The trial Court is directed to expedite the trial and



conclude the same within a period of nine months, failing
which the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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