

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25069 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- NAUHATTA District- Rohtas

Chandradeep Yadav@ Chandip Yadav SON OF DUKHI YADAV RESIDENT
OF VILLAGE- BANUA, PO AND PS- NAUHATTA, DIST- ROHTAS

... .. Petitioner/s

Versus

1. The State of Bihar
2. BINDA KUER WIFE OF LATE BALDEO RAM VILLAGE- BUNUA, PO
AND PS- NAWHATTA, DIST- ROHTAS

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy
For the Opposite Party/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 12-09-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Nauhatta P.S. Case No. 83 of 2023 for the offences
punishable under Sections 341, 323, 363, 376(D)34 of the
Indian Penal Code and Sections 4/6 of the POCSO Act and
Section 3(i)(C)/3(i)(W)(i)/3(2)(v)SC/ST Act.

3. As per allegation, when the daughter of the
informant went to attend the call of nature, the petitioner along
with other accused persons named in the FIR came there and
kidnapped her, after gagging her mouth. Further, they brought
her in a field and committed rape with her. It has also been
mentioned that blood was oozing out of her private part.

4. Learned counsel for the petitioner has submitted
that there is contradiction in the statement of the informant



between her earlier statement and restatement. She did not state in her FIR that the victim came to her house and narrated the entire occurrence to the informant whereas in restatement, she narrated different stories. He has also submitted that the witnesses in course of investigation have stated that there was love and affection between the victim and the petitioner.

5. On the other hand, learned counsel for the informant and learned APP for the State have opposed the prayer for bail and submitted that out of six witnesses 5 have been examined and only doctor has remained to be examined.

6. It appears that the trial is on the verge of its conclusion.

7. In my view the petitioner does not deserve the privilege of bail, which is hereby rejected.

8. The learned court below is directed to conclude the trial within a period of six months. If the trial is not concluded within the stipulated period, the petitioner shall renew his prayer for bail before the learned court below itself.

(Nawneet Kumar Pandey, J)

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