

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25924 of 2024

Arising Out of PS. Case No.-223 Year-2021 Thana- UJIYARPUR District- Samastipur

Shubham Kumar Choudhary @ Shubham Choudhary @ Subham Kumar Choudhary Son of Late Braj Bhushan Choudhary @ Late Braj Bhushan Chaudhary Resident of vill.-Chandchaur Dih, P.S.-Ujiyarpur, Distt.-Samastipur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv.

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-08-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Sessions Trial No. 355 of 2022 arising out of Ujiyarpur P.S. Case No. 223 of 2021 registered for the offence punishable under sections 342, 376, 114 and 34 of the IPC and sections 3, 5, 6 of the Immoral Traffic (Prevention) Act, 1956 lodged on 23.07.2021 by the informant, Biswajit Kumar.

3. As per the allegation made in the FIR, the informant, a Police Sub-Inspector has alleged that upon secret information about the accused persons, the police raided the house of the The accused Subham Kumar Choudhary as also Anand Mohan Jha tried to escape but were apprehended by the police. To their surprise, they heard the screaming of the girls and when they went inside, found two girls were there, namely Rakhi Ray and Sanchita Das, who disclosed that they have been



brought from Kolkata on the pretext of job but upon here, the accused person tried to establish physical relationships with them. The statement of the girls have been corroborated in the statements made under Section 164 Cr.P.C.

4. The bail application of the petitioner has earlier been rejected twice on 28.07.2022 in Cr.Misc. No. 18673/2022 and on 28.06.2023 in Cr.Misc. No. 30835/2023.

5. A report was called for and according to it, 10 witnesses have already been examined and only two witnesses are to be examined. This report is dated 29.06.2023.

6. Considering the allegation that has come against the petitioner coupled with the fact that he has 26 criminal cases under his belt and the trial is at an advance stage, this Court is not inclined to extend the privilege of bail to the petitioner, which is accordingly, rejected.

7. As the petitioner is in custody for about last three years, it is expected that the trial court will take the trial to its logical conclusion at the earliest.

(Rajiv Roy, J)

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