

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73649 of 2023**

Arising Out of PS. Case No.-218 Year-2023 Thana- KARAHGAR District- Rohtas

CHANDAN PASWAN SON OF RADHESHYAM RAM ALIAS  
RADHESHYAM PASWAN, RESIDENT OF VILLAGE BISHOPUR, P.S.-  
KARGAHAR (BARAHARI O.P.), DISTT- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sushila Devi, W/o Tuntun Ram, R/o village Bishopur, P.S. Kargahar  
(Barahari O.P.), Dist. Rohtas at Sasaram

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate  
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

5      12-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Kargahar (Barahari O.P.) P.S. Case no.218 of 2023 registered under section 376D of the Indian Penal Code and sections 4 and 6 of the POCSO Act.

3. As per the prosecution case, the informant states that she had left behind her 16 year old daughter along with other children at home. It is stated that her daughter informed on telephone that the accused persons including the petitioner herein forcibly committed rape on her.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No such



occurrence as alleged has taken place. The trial has commenced in the learned trial Court and the victim has already been examined wherein she has clearly stated that she gave the statement in course of trial as she had been asked for by her mother and the Investigating Officer to do so. The petitioner is in custody since 15.6.2023 and undertakes to cooperate in the trial.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and having perused the material on record, the Court finds that not only the petitioner is named in the FIR but there is direct allegation against him that he along with one another committed rape on the 16 year old victim. The allegations have been supported by the victim in her deposition in course of trial in the learned trial Court.

7. In view of the facts of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Learned trial Court is directed to expedite the trial.

**(Partha Sarthy, J)**

Saurabh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

