

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71910 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- GOVINDPUR District- Nawada

Chandan Ram @ Tamatar Son Of Sri Ramesh Ram R/O Village -Jaypur, P.S.-
Govindpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for regular bail has been filed by the petitioner in connection with Govindpur P.S. Case no. 202 of 2022 instituted for the offence punishable under Sections 376(AB) of the Indian Penal Code read with Section 4 of the POCSO Act.

3. It is a case of committing rape by the petitioner upon the minor daughter, aged about 5 years, of the informant while she was sleeping on the roof of the house. Victim became unconscious and blood started oozing from her. After the alleged occurrence, when her mother and sister went there to awake up her, they found her in bleeding condition.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. Petitioner is own nephew of the informant and due to land dispute, he has falsely been implicated in this case. Petitioner has got no criminal antecedent and languishing in judicial custody since 24.6.2022.

5. Learned APP appearing for the State has opposed the prayer of bail and submitted that statement of the minor victim girl was got recorded under Section 164 Cr.P.C., wherein she has made direct allegation of specific overt act against the petitioner and while her statement was being recorded, her mother shown blood stained clothes of the victim girl. During investigation, several witnesses have supported the prosecution story.

6. Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape against the petitioner upon the minor girl of the informant, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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