

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86881 of 2024

Arising Out of PS. Case No.-316 Year-2024 Thana- BYPASS District- Patna

Chandan Kumar @ Chandan Son of Binod Kumar Singh @ Vinod Singh @
Binod Singh At present Gajraj Hotel, P.S.- Bypass, Distt.- Patna and Resident
of Village- Badhauna, P.S.- Hisua, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmod Kumar, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 27-03-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Bypass
P.S. Case No. 316 of 2024 instituted for the offence under
Sections 127(2), 115(2), 70(1) & 352 of the Bharatiya Nyaya
Sanhita, 2023.

3. Prosecution case in short is that the informant, a
professional dancer, was invited by Chotu D.J. for a dance
program at Gajraj Hotel, where she and two other dancers were
taken to a room. While the others left, she was told that she was
selected for a special performance and was assaulted. She was
then allegedly raped by six persons, including the hotel manager
(petitioner) and his staff, when she resisted drinking.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17-02-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no allegation of rape against the petitioner. Petitioner is the manager of the hotel. Petitioner has become the victim of the circumstances. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. The informant's restatement recorded in the case diary fully supports the prosecution case, as does her statement recorded under Section 180 of B.N.S.S., 2023. It is next submitted that witnesses, namely, Chandan Kumar, Rahul Kumar, and dancer Puja Kumari have also corroborated the allegations in their respective statements. Additionally, the confessional statement of co-accused Sonu Kumar confirms his guilt and disclosed the name of petitioner.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not



inclined to grant bail to the petitioner. Prayer for grant of bail is, accordingly, *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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