

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cr. Rev. No. 881 of 2020

Niraj Kumar Choudhary @ Niraj Kumar Chaudhary @ Niraj Choudhary
..... Petitioner(s).

Versus

State of Jharkhand Opp. Party(s)

CORAM : HON'BLE MR. JUSTICE ANANDA SEN.

THROUGH : VIDEO CONFERENCING

For the Petitioner : Mr. Abhay Kumar Chaturvedy, Advocate

For the State : APP

07/29.10.2021

Heard learned counsel for the parties.

The petitioner is an accused for allegedly committing an offence punishable under Sections 376 (2) (i) IPC and Section 6 of POCSO Act.

Vide order dated 13.8.2021 a report was called for. The report dated 25.8.2021 sent by the Exclusive Special Judge, POCSO Palamau suggests that only three witnesses remained to be examined in this case.

Prayer for bail of the petitioner was earlier rejected with the finding that he has committed rape upon the girl, who is aged about 6-10 years. The medical report also supports the aforesaid facts, so is the statement recorded under Section 164 Cr.P.C of the victim.

Considering the stage of trial and the nature of allegation, I am not inclined to grant privilege of bail to the petitioner. Accordingly the privilege of bail to the petitioner above named in connection with Mahila P.S. Case No. 76 of 2018, corresponding to Special POCSO Case No. 2 of 2020, pending in the court Exclusive Special Judge, POCSO, Palamau stands rejected.

Trial court is directed to record the statement of the witnesses on day to day basis once court reopen after annual vacation. The prosecution will ensure production of the witnesses immediately on the date fixed by the trial court.

Let a copy of this order be communicated through FAX to the court concerned.

(ANANDA SEN , J)