

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4848 of 2015

Arising Out of PS.Case No. -254 Year- 2014 Thana -AJAMNAGAR District- KATI HAR

Sartaz Ansari @ Sartaj Ansari S/O Late Dhorai Ansari Resident of vill-
Khangama,P.S-Azamnagar,Distt.-Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 04-03-2015

Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence
punishable under Section 376 of the Indian Penal Code.

The allegation against the petitioner is that when
the prosecutrix was grazing her she-goat, the petitioner
caught hold of her and committed her rape. In the
meantime, Mithun Mandal and her father came there and
the petitioner was apprehended on the spot and
assaulted.

Learned counsel for the petitioner submits that
the petitioner has been falsely implicated in this case due
to enmity. The prosecutrix used to graze her she-goat in
the field of the petitioner and for that he abused the
prosecutrix. Thereafter, Raman Malakar, relative of the
victim and Radhe Malakar assaulted the petitioner,
snatched the key of his motorcycle and took out
Rs.5,000/- from his pocket. He has further submitted
that the prosecutrix has been examined by the Medical
Board and no sign of rape has been found and her age

has been assessed between 18 to 19 years.

Learned counsel for the State submits that there is specific allegation of rape against the petitioner upon an unmarried girl of 16 years and after investigation chargesheet has already been submitted. The case has been committed to the court of sessions and trial is going on. The date of framing of charge was 13.2.2015 as per report of the learned trial court.

Considering the facts and circumstances, in my opinion, the petitioner does not deserve bail. Prayer for bail is rejected at this stage.

(Amaresh Kumar Lal, J)

sudip/-

U		T	
---	--	---	--