

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15617 of 2016

Arising Out of PS.Case No. -77 Year- 2015 Thana -AJAMNAGAR District- KATIHAR

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1. Abdul Gaffar Son of Jamal Ansari R/o Village Baghora, P.S. Azamnagar, District Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah

For the Opposite Party/s : Mr. Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 22-06-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Azamnagar P.S. Case No. 77 of 2015 (S.T. No. 341 of 2015) registered for the offences punishable under Sections 376, 323 and 504 of the Indian Penal Code and Section 4 of the POCSO Act.

On the basis of complaint petition, this case has been lodged with an allegation that the petitioner kidnapped Bilkis Fatma, the minor daughter of the informant. During investigation the victim girl was recovered and her statement has been recorded before the Magistrate, wherein she has supported the allegation of kidnapping and rape by the petitioner. She became pregnant.

Submission is of false implication and that the

complaint case has been filed after much delay, the doctor has found the victim girl aged about 16-17 years, there are contradiction in the statement of the victim girl and without any substance, chargesheet has been submitted. Petitioner is suffering in custody since 18.05.2015.

The learned APP seriously opposes the prayer of bail.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Azamnagar P.S. Case No. 77 of 2015 (S.T. No. 341 of 2015) pending in the Court of learned ADJ-I, Katihar.

(Jitendra Mohan Sharma, J)

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