

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50529 of 2017

Arising Out of PS.Case No. -191 Year- 2017 Thana -BANMANKHI District- PURNIA

=====

1. Md. Tausif Ansari @ Md. Tausif Son of Md. Movin Ansari @ Movin,
resident of Village- Ekraha, Ward No. 12, P.S.- Jankinagar, District-
Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Shailendra Kumar Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 21-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner is languishing in judicial custody since 18.08.2017 in connection with Special Case No. 69 of 2017, arising out of Banmankhi P.S. Case No. 191 of 2017 for offences punishable under Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

The prosecution case, as lodged by the informant, is that her daughter Rubi Kumari, aged 14 years, went along with her friend Veena Kumari and was found in the school behind closed doors. Petitioner, who was a teacher of the school, was found in a suspicious condition along with two minors, who disclosed that petitioner was repeatedly committing rape on them since one year and had also threatened them of not disclosing the same to anyone.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and the informant, in her further statement, has not alleged any overt act against the petitioner, who is the teacher of the said school. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner being a teacher has committed rape on two minor girls.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Special Case No. 69 of 2017, arising out of Banmankhi P.S. Case No. 191 of 2017 pending in the court of learned 1st Addl. Sessions Judge cum Special Judge (POCSO) Act, Purnea.

Application is, accordingly, rejected.

(Nilu Agrawal, J)

Rajesh/-

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

