

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12390 of 2017

Arising Out of PS.Case No. -315 Year- 2016 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

=====

1. Md. Musaraf Alam @ Raja Son of Md. Raja Alam @ Riajuddin, R/o
Vill.- Khaje Aitbar Sarai, P.S.- Rahui (Bhagan Bigha), District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gautam Kumar Yadav

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 11-04-2017 Heard both sides.

The petitioner seeks bail in Rahui (Bhagan Bigha)

P.S. case No. 315 of 2016 under Section 377 of the Indian Penal
Code and under Section 3/8 of POCSO Act.

The petitioner is alleged to have committed unnatural
offence with a minor boy to whom the petitioner was imparting
tuition.

The learned counsel for the petitioner submits that
the case has been compromised. The victim in his statement under
Section 164 of the Cr. P. C. did not state that petitioner sodomized
him but from the statement of victim as well of other witnesses, it
appears that being a teacher of the victim the petitioner committed



unnatural offence with his pupil.

Considering the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The learned trial court is directed to expedite the trial and conclude the same within six months from the date of receipt of this order.

(Prabhat Kumar Jha, J)

BKS/-

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

