

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47180 of 2018

Arising Out of PS.Case No. -125 Year- 2017 Thana -RAGHOPUR District- SUPAUL

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1. Md. Samiullah @ Samiullah S/o Md. Ismail, R/o Vill.- Machha,
Sourajan, P.S.- Raghapur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv

For the Opposite Party/s : Mr. Sri Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-08-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 366(A)/376/34 of
the Indian Penal Code and Section 4 of POCSO Act.

Allegation is that the petitioner and the co-
accused ravished to the daughter of the informant. Victim,
aged about 13 years, on the date of her statement under
Section 164 Cr.P.C. on 12.07.2017, has supported the
allegation against the petitioner and others. She has already
been examined during course of trial as prosecution witness
No.1, wherein she has supported the allegation against the
petitioner.

I do not find any reason to grant bail to the



petitioner only for the reason that petitioner was not identified by the victim in the court. The aforesaid may be considered at the time of final hearing of the case.

Considering the nature and seriousness of the allegation, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No.17 of 2017 arising out of Raghapur Police Station Case No. 125 of 2017 pending in the court of learned A.D.J.-1st, Supaul/successor court.

Hence, prayer for bail is refused.

The learned trial court is directed to expedite the trial.

(Birendra Kumar, J)

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