

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28174 of 2018

Arising Out of PS. Case No.-15 Year-2017 Thana- MAHILA P.S District- Supaul

Md. Murshid Alam @ Md. Murshid, son of Late Md. Kureshi, Resident of Village- Mahua Punerwas, P.S. and District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ahtash Ali Khan, APP 4

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-05-2018

Heard the learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Supaul POCSO P.S. Case No. 2 of 2017 arising out of Supaul Mahila P.S. Case No. 15 of 2017 registered for offences punishable under Sections 341, 376, 511, 504, 506 and 120B of the Indian Penal Code and 8 of the Protection of Children from Sexual Offences Act.

Allegation against the petitioner, as per the first information report, is that one co-accused, Md. Jawed, has thrashed the informant on the ground and tried to rape against her. The allegation against the petitioner is that he has thrashed the sister of the informant and pressed her and thereafter on hulla people assembled there. The allegation of committing rape is against other and there is no allegation of rape against



this petitioner.

Heard learned Additional Public Prosecutor also.

Having heard the learned counsel for the parties, as the allegation is under Protection of Children from Sexual Offences Act, I am not inclined to grant privilege of bail to the petitioner.

The prayer for anticipatory bail is **rejected**.

However, the petitioner may surrender and make prayer for regular bail which may be considered on its own merit and without being prejudice of this order.

(Vinod Kumar Sinha, J)

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