

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69742 of 2018

Arising Out of PS. Case No.-1 Year-2018 Thana- MAHILA PS District- Aurangabad

Md. Isfaque, son of Md. Idrish, resident of village- Sheikh Bigha, P.S. Obra,
District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Smt Renu Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 10-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Aurangabad Mahila P.S. Case No. 01 of 2018 registered for
the offence punishable under Sections 448, 376D and 504 of the
Indian Penal Code and Section 4 of POCSO Act.

Informant who claimed her to be minor has alleged
committing of rape upon her by five FIR named accused
including petitioner.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case. It has
been further submitted that in the medical examination, Medical
Officer has not found any external or internal injury on the
person of victim or on her private part. Petitioner has no



criminal antecedent and he is in custody since 15.03.2018. Bail of similarly placed co-accused, namely Md. Alamgir has been rejected vide order dated 19.07.2018 passed in Cr. Misc. No. 31188 of 2018.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner at this stage. Accordingly the prayer for bail is rejected.

However, petitioner may renew his prayer for bail after framing of charge.

(S. Kumar, J)

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