

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27255 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- GAYGHAT District- Muzaffarpur

Noor Mohammad Ansari, Son of Late Sahoob Ansari, resident of Village-
Boaridih, P.S. Gaighat, District- Muzaffarpur ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Arun Kumar, Adv.
For the Opposite Party : Mr. Ramchandra Sahani, APP 124

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 07-08-2018 Heard learned counsel for the petitioner, the informant
and the State.

The petitioner is languishing in jail since 02.02.2018
in connection with Gaighat P.S. Case No. 23 of 2018 registered
under Sections 376, 511, 504, 506 and 34 of the Indian Penal
Code and 8 of the Protection of Children from Sexual Offences
Act.

Allegation against the petitioner is that he tried to
commit an unnatural sexual offence with a seven years old child
and, therefore, the present case has been occasioned.

Diary in the present case was called for, which has
been received.

Learned counsel for the petitioner submits that the
entire case is false and fabricated and has been occasioned on
account of the fact that there is a dispute regarding advance



which was given to the husband of the informant for making doors and windows. The present allegation has been occasioned only to wreck vengeance against the petitioner as he has been demanding back the money.

Learned counsel appearing for the State, after perusal the case diary, submits that the entire case against the petitioner has been found to be true and he was caught red handed and the victim-girl in her statement under Section 164 of the Criminal Procedure Code has categorically stated that role of the petitioner in the offence and, therefore, he should not be extended the privilege of bail.

Learned counsel for the informant also vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case and there being material in the case diary to show the complicity of the petitioner in the alleged offence, I am not inclined to grant bail to the petitioner.

The prayer for bail is, accordingly, **rejected**.

(Anjana Mishra, J)

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