

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5066 of 2019

Arising Out of PS. Case No.-102 Year-2018 Thana- JALALGARH District- Purnia

Md. Zahid @ Md. Vahid S/o Md. Suleman, Resident of Village - Nij
Gehuwan, P.S. Jalalgarh, Distt. Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr.Dr. Shashi Shekhar Kishore, Advocate
For the State : Mrs.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-04-2019 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

The petitioner seeks bail in Special case No.80 of 2018 arising out of Jalalgarh P.S. case No.102 of 2018 registered under Sections 376, 201 of the Indian Penal Code and $\frac{3}{4}$ POCSO Act, pending in the court of Addl. District & Sessions Judge 1st-cum-Special Judge (POCSO) Act, Purnea.

Allegation is that the accused persons committed rape upon the victim.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.11.2018 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. Date of occurrence is 2.5.2018 and the



complaint case was filed on 9.5.2018. On the basis of which, F.I.R. was instituted under Section 156(3) of Cr.P.C. As per the postmortem report, there is no sign of rape.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. The victim was examined under Section 164 of Cr.P.C. She has supported the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected.

(Sudhir Singh, J)

Narendra/-

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