

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37566 of 2019

Arising Out of PS. Case No.-101 Year-2019 Thana- PHULWARISHARIF District- Patna

MD ARIF, Son of Late Noor Hasan, Resident of Village - Imam Colony, P.S.-
Phulwarisharif, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagma Shamim

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 25-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Special Case No.12 of 2019**
arising out of Phulwarisharif P.S. Case No.101 of 2019
instituted for the offence under Section(s) 376 Indian Penal
Code and Section 4 of the POCSO Act pending in the Court of
the **Special Judge, POCSO, Patna.**

It is alleged in the written report that this petitioner
took the informant to *Banskothi* and committed rape with her.

Statement of victim girl has been recorded under
Section 164 Cr.P.C., wherein, she has supported her case and
stated that this petitioner after confining her in a room
committed rape with her.

Medical examination of the victim has been done,



wherein, doctor has found linear scratch mark on right cheek, black in colour size about 1½” long, linear scratch mark size about ½” long over neck. Age of the injuries were within 72 hours. Victim has been examined on 30.01.2019, whereas, occurrence has taken place on 28.01.2019.

In such circumstances, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is **rejected**.

The trial Court is directed to expedite the trial.

(Sanjay Priya, J)

J. Alam/-

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