

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76711 of 2019

Arising Out of PS. Case No.-82 Year-2019 Thana- MAHILA P.S. District- Patna

MD. HAFIJ QURESHI Son of Edrish Qureshi Resident of Village -
Macharhatta, Mouri Gali, P.S.- Khajekalan, Distt - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kaushlendra

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 18-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 376 of the Indian Penal Code and
Section 6 of the POCSO Act.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact,
according to medical report, the doctor has not found any
sign of external or internal injury on the body of the victim,
therefor, no case under Section 376 of the Indian Penal Code
is made out against the petitioner. The petitioner is rotting
in judicial custody since 28.07.2019.



Learned A.P.P. for the State has opposed the prayer for bail and submitted that there is specific allegation of committing rape upon the minor victim. Moreover, the victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution version.

Considering the facts and circumstances of the case, this Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Arvind Srivastava, J)

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