

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86229 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- MAHILA P.S. District- Purnia

Md. Tausif @ Tausif @ Md. Tausif Alam, Son of Md. Safik @ Md. Safik
Mirza Resident of Village- Milki, P.S.- Maranga, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand- Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 19-03-2020 Heard learned counsel appearing for the petitioner as
well as learned Additional Public Prosecutor for the State.

Petitioner is in custody since 04.07.2019 and seeks
bail in connection with Special (POCSO) Case No.37 of 2019
arising out of Mahila P. S. Case No.25 of 2019 registered for the
offences punishable under Section 376 of the I.P.C. and Section
4 of the POCSO Act.

There is specific allegation against the petitioner that
he committed rape of a minor girl.

However, learned counsel appearing for the petitioner
submits that according to prosecution case itself, the present
case was lodged after six months of the alleged occurrence and
as a matter of fact, the petitioner has been roped in this case on



account of land dispute. The perusal of the record goes to show that the statement of victim under Section 164 of the Cr.P.C. was recorded and in the said statement, she specifically stated that petitioner committed rape upon her.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, I am not inclined to extend the privilege of bail to petitioner and accordingly, his prayer for bail stands rejected.

(Hemant Kumar Srivastava, J)

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