

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34787 of 2021

Arising Out of PS. Case No.-54 Year-2019 Thana- CHHATAUNI District- East Champaran

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SHAMSHER ANSARI @ MD SHAMSHER ANSARI @ BABLU S/O - Anu
Ansari @ Md. Annu Ansari Resident of Mohalla - Khoda Nagar, P.S.
Chhatauni, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Chhatauni P.S. Case No.
54 of 2019, registered for the offence punishable under Sections
376, 354(B), 504, 448/34 of the Indian Penal Code and section
4/6 of the POCSO Act.

As per the prosecution case, this petitioner established
physical relation with minor daughter of the informant on the
pretext of marriage and made video of the incident.

It is submitted on behalf of the petitioner that



allegation levelled against this petitioner is absolutely false and fabricated due to previous enmity. Though the date of occurrence is 20.01.2019 and the FIR is lodged on 19.02.2019 after lapse of one month without any plausible explanation. Petitioner is in custody since 11.02.2021 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that there is specific and direct allegation against this petitioner of committing sexual assault upon the minor daughter of informant.

Considering the facts aforesaid and the nature of accusation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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