

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31669 of 2020

Arising Out of PS. Case No.-11 Year-2020 Thana- MAHILA PS District- Aurangabad

SALAMAT ULLAH Son of Late Hakimuddin @ Abdul Hakimuddin Resident
of Village Bala Pokhar, P.S. Deo, District - Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 18-01-2021 Heard learned counsel for the petitioner and
learned A.P.P. appearing for the State.

The petitioner seeks bail in connection with
Aurangabad Mahila P.S. Case No. 11 of 2020, registered under
Section 376(A-B) of Indian Penal Code and Section 4 of the
POCSO Act, pending in the Court of learned Additional
District and Sessions Judge-VI-cum-Spl. Judge (POCSO),
Aurangabad.

The accusation is that in the evening of
07.06.2020, minor daughter of informant Shabina Praveen was
playing at the door, at that time, Salamatullah (petitioner) took
her in his house and committed rape. When her daughter
started weeping then she was threatened for dire consequences
in case of disclosing the incident. When Mansoor Alam,



husband of informant, returned to house after doing the job of labourer then minor daughter of informant narrated the incident.

Learned counsel appearing on behalf of the petitioner submits that the petitioner, who is a tailor and neighbour of the informant, has falsely been implicated in this case due to dirty village politics. The petitioner is in custody since 11.06.2020.

On the other hand, learned Addl. Public Prosecutor appearing for the State opposed the bail prayer of the petitioner with submission that victim, minor daughter of informant, has supported the allegation, as made in the F.I.R., in her statement recorded under Section 164 Cr.P.C. and in medical examination, the age of the victim was assessed between 6-7 years and her hymen was found old ruptured.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, the bail prayer of the petitioner, above named, is rejected.

(Rajendra Kumar Mishra, J)

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