

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32958 of 2020**

Arising Out of PS. Case No.-111 Year-2019 Thana- DHAKA District- East
Champaran

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Zakaullah @ Abdul Rahman S/o Zameer @ Zamir Ahmad R/o village-
Bahlolpur, P.S.- Dhaka, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Umesh Chandra Verma, Advocate
For the State	:	Mr. J.K. Singh, APP
For the Informant	:	Mr. Zaki Haider, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-01-2021 Heard learned counsel for the petitioner and learned
APP for the State. Learned counsel for the petitioner has filed an
undertaking to remove all defects pointed out by the Stamp
Reporter as and when required. It is accordingly directed that all
defects pointed out by the Stamp Reporter be removed within
one month hereof.

2. The petitioner is in custody since 27.08.2020 in
connection with Dhaka P.S. Case No. 111 of 2019 for the offences
alleged under Section 376 of the Indian Penal Code and Section 4
of POCSO Act.

3. It is submitted that the petitioner has been falsely
implicated in connection with commission of rape upon the
informant, a minor. It is submitted that the parties are



neighbours and as a matter of fact the victim was in love with the petitioner and no force was used. There is five days delay in lodging the F.I.R. on 09.04.2019 for the alleged occurrence of 04.04.2019. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appears and opposes the bail petition, inviting reference to the order of the learned 1st Additional Sessions Judge wherein it has been observed that the victim has been assessed to be 15 years of age and she has supported her version in her statement recorded under Section 164 of the Cr. P.C.

5. Having regard to the nature of accusations and gravity of the offence alleged, this Court is not inclined to grant the privilege of bail to the petition. The petition stands dismissed.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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