

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35112 of 2020

Arising Out of PS. Case No.-125 Year-2017 Thana- BALRAMPUR District- Katihar

MD. ANJAR Son of Late Abdul Rashid @ Md. Rashid @ Rasid Resident of
Village - Lalpur, P.S. - Balrampur, Dist. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Qumrul Hoda
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-01-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with Balrampur P.S. Case No. 125 of 2017 for the offence registered under Sections 376, 313 and 511 of the Indian Penal Code and Section 4 of the POCSO Act inasmuch as his earlier bail petition for grant of bail was rejected by this Court vide order dated 04.07.2018 passed in Criminal Misc No. 24276 of 2018.

The allegation is that the victim girl had gone to urinate in the bamboo orchard when the petitioner caught her and committed rape upon her.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he is languishing in custody



since 16.02.2018.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the fact that the allegation stands corroborated as against the petitioner herein from the statement made by the victim girl under Section 164 Cr.P.C. before the learned Magistrate and moreover there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail, I do not find any merit in the present petition. Accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

