

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.7113 of 2021**

Arising Out of PS. Case No.-25 Year-2020 Thana- MAHILA P.S. District- Rohtas

JAMERUDDIN ANSARI @ JAMIRUDDIN ANSARI, Son of Merajuddin Ansari @ Merajul Ansari, Resident of Village- Salukpur P.S.- Akorhigola, Distt- Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sudama Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 04-08-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with POCSO Case No. 36 of 2020 arising out of Dehri Mahila P.S. Case No. 25 of 2020 registered for the offence punishable under Section 376, 341, 323, 420 of the Indian Penal Code and Section 4 of Protection of Children from Sexual Offences Act.

Learned counsel for the petitioner submits that as per the prosecution story the petitioner is alleged to have committed

rape forcibly upon the informant. It is alleged that the petitioner has remained in continuous physical relationship with the informant for last two years on the allurements of marriage. It is further alleged that now the petitioner has refused to keep the informant.

Learned counsel for the petitioner submits that from the F.I.R. itself it would appear that the victim girl was in relationship allegedly with this petitioner for last two years. In fact it has come in course of investigation that a Panchayati had taken place in which the father of the victim girl wanted either to get marriage between the petitioner and the victim girl or a sum of Rs. 2,00,000/- in lieu thereof to which Panchayat did not agree because the victim girl was minor.

Learned counsel submits that the petitioner is in custody since 15.06.2020, investigation against him is complete but the trial is not likely to take place in near future.

On the other hand, Mr. Akhileshwar Dayal, learned A.P.P. for the State submits that the victim girl has been medically examined and she has been found minor aged between 16-16½ years. The petitioner is, however, major and the victim girl has alleged commission of forcible rape upon her by the petitioner by alluring her in the name of marriage.

Considering the facts and circumstances of the case, the statement of the victim girl and the medical examination report, this Court is not inclined to release the petitioner on bail. The prayer for bail of the petitioner is, thus, refused.

Let the trial be expedited.

All endeavours be made to conclude the trial as early as possible keeping in view the scheme of POCSO Act and preferably within a period of nine months from the date of start of normal functioning of the Court.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.