

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11053 of 2021

Arising Out of PS. Case No.-428 Year-2020 Thana- SASARAM NAGAR District- Rohtas

FIROZ ANSARI @ SONU LATE YUSUF ANSARI RESIDENT OF
MOHALLA SHERGANJ BARA PS SASARAM (T) DISTRICT ROHTAS
(BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 02-08-2021

In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Sasaram (Town) PS Case No. 428 of 2020 registered under Sections 376/511 of the IPC and Section 8 of Pocso Act.

It is alleged that the informant's niece had left home for making some purchase. Giving inducement the petitioner has taken her to his shop, where he has disrobed the victim, aged nearly eight years old with bad intention. The petitioner has been apprehended by the local persons who have rushed after hearing cry of the victim and handed over the petitioner to the police.

Learned Counsel for the petitioner submits that based on a dispute regarding setting up of the shop ("gumti") by the petitioner he has been implicated falsely in this case. The alleged inducement is



by means of a on a mobile phone which the petitioner was allegedly carrying to the shop, but no mobile phone has been recovered. The petitioner has clean antecedent and he is in custody since 16.7.2020.

Learned APP referring to para 24 – 31 of the case diary has submitted that the victim has supported the prosecution case in the investigation and independent persons have stated about hearing the cry of the victim from petitioner's shop whereafter she has been rescued.

Considering the rival submissions, this Court for the present is not inclined to allow the prayer for bail.

The prayer for bail is rejected.

(Madhuresh Prasad, J)

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