

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10261 of 2022

Arising Out of PS. Case No.-11 Year-2021 Thana- MAHILA P.S. District- Banka

Mahphuj Ansari Son Of Sarfuddin Ansari @ Khiro R/O Village- Baliyamahra,
P.S. And District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Nurul Hoda, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 493, 376, 323, 504, 34 of
the Indian Penal Code and Section 4 of POCSO Act.

According to prosecution case, she alleged that the
petitioner lured her on the promise of marriage and forcibly,
sexually, exploited her and committed rape upon her since last
six-seven months.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case and the entire allegation against the petitioner is baseless, concocted and fabricated.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the basis of the aforesaid record and submits that the statement of the victim girl recorded under Section 164 of Cr.P.C. in which she has categorically stated that the petitioner has committed sexual assault with the victim.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Mahila (Banka) P.S. Case No. 11 of 2021 pending in the court of learned Additional Sessions Judge-VI-Cum-Special Judge (POCSO) Banka. Prayer is refused.

(Rajesh Kumar Verma, J)

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