

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31592 of 2021

Arising Out of PS. Case No.-65 Year-2020 Thana- MAHILA P.S. District- Muzaffarpur

MD. ISTEYAK Son of MOHAMMAD ISARAIL Resident of Village -
Basantpur Gaus, P.S.- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-01-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 376 and some other ancillary Sections of the Indian Penal Code and u/s 4/6 of POCSO Act.

As per the prosecution case, this petitioner entered into room of the informant and on the point of knife committed rape with her.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case due to village politics. The medical board assessed the age of victim to be 18-19 years and no sign of rape was found. Petitioner claims clean antecedent and is in custody since 13.12.2020 and investigation in this case is complete.



Learned counsel appearing for the State opposes the prayer for bail and submits that victim in her statement u/s 164 of the Cr. P. C. supported the prosecution and the court assessed her age to be 15 years.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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