

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23277 of 2022

Arising Out of PS. Case No.-92 Year-2021 Thana- MAHILA P.S. District- Araria

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Anil Rishideo @ Anil Kumar Rishideo Son Of Fucho Rishideo @ Fochai
Sada R/O- Village- Bhadreswar Ward No.-02 P. S.- Jogbani (BATHNAHA)
Dist.- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 31-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special (POCSO) Case No. 06 of 2022 arising out of Mahila
P.S. Case No. 92 of 2021 lodged under Sections 376-D(A), 341,
323, 354-B, 504, 506/34 of the Indian Penal Code read with
Section 04 of the POCSO Act.

The allegation as per the F.I.R. is helping in
commission of rape upon the informant.

Learned counsel for the petitioner submits that there is
one cogent material available in the present F.I.R. by which it

transpires that entire prosecution is absolutely false. He further submits that as per the allegation in the F.I.R. the time of occurrence is 27.01.2021 at about 5 p.m. evening whereas the present F.I.R. has been lodged on 11.07.2021 i.e. near about after 6 months, which itself transpires that the entire case is absolutely false. He further submits that petitioner is in custody since 29.12.2021, chargesheet has already been filed in this case and petitioner having clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that in the F.I.R. as well as in the statement recorded under Section 164 Cr.P.C. the allegation of helping in commission of rape by the petitioner is there.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, but he may renew his prayer for bail after 6 months of framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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