

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33965 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- AMDABAD District- Katihar

Md. Tarik @ Md. Farman S/o Md. Rafique R/o Balwa, P.S.- Amdabad, Distt-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Singh
For the Opposite Party/s	:	Mr. Upendra Kumar, A.P.P.
For the Informant	:	Mr. Satish Chandra Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-02-2022 Heard learned counsel for the petitioner as well as

learned counsel for the Informant and learned Additional Public

Prosecutor for the State in Virtual Court proceeding.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with Amdabad P.S.

Case No. 11 of 2021 registered for the offences punishable

under Sections 376 of the Indian Penal Code and Section 4 of

POCSO Act.

According to prosecution case, the informant in her

statement before S.H.O. Amdabad police station that in the night

went to natural call and after natural when she was coming

back, the accused person namely Md. Tarik caught her from



back side, pressed her mouth, raped with her.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case only because the family of the petitioner refuse to marry with the victim girl. He further submits that as per F.I.R. the date of occurrence is 08.01.2021 but the present F.I.R. is instituted on 17.01.2021. The petitioner is in custody since 18.01.2021.

The learned counsel for the Informant and learned Additional Public Prosecutor has vehemently opposed the prayer for bail, submitting that as per the statement of the victim girl recorded under Section 164 Cr.P.C. she has supported the allegation as alleged in the F.I.R. and medical report also supported the same.

Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of bail to the petitioner and accordingly, the same stands rejected.

However, learned trial court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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