

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42217 of 2021

Arising Out of PS. Case No.-215 Year-2020 Thana- SALAKHUA District- Saharsa

Md. Safi Ahmad @ Md. Shafi Ahmad S/O Md. Ansar Alam R/o village-
Ghordaur, Ward No. 01, P.S.- Salkhua, District- Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanchay Srivastava

For the Opposite Party/s : Mr.B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-01-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Salkhua P.S. Case No. 215
of 2020 corresponding to Special Case No. 01 of 2021,
registered for the offence punishable under Sections 366A, 376
and other allied sections of the Indian Penal Code and sections
8, 12 of the POCSO Act.

As per the prosecution case, this petitioner kidnapped
the informant (minor) with intent to marry and also committed
sexual assault with her.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. In fact, there
was love affair between the petitioner and the victim girl
(informant) and in support of the same annexed whatsapp chat
as Annexure-2. 10-15 days prior to the alleged occurrence, this



petitioner filed one information petition bearing No. 903 of 2020 dated 08.09.2020 wherein it is stated that the victim was pressuring him to marry and also threatened him of dire consequence. Petitioner is in custody since 04.11.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that this petitioner committed sexual assault upon the informant and the same fact has been fully corroborated in her statement under Section 164 Cr.P.C.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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