

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45704 of 2021

Arising Out of PS. Case No.-652 Year-2020 Thana- MUFFASIL District- West Champaran

SAHEB HUSSAIN Son of Shikh Anwar Resident of Village- Beldari, P.S.-
Bettiah Mufassil, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 28-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Bettiah Muffasil P.S. Case No. 652 of 2020, registered for the
offence punishable under Section 366(A)/34 of the Indian Penal
Code, pending in the Court of learned Special Judge, POCSO-
cum-A.D.J-VI, West Champaran, Bettiah.

The prosecution story in brief is that accused persons
named in the F.I.R. including the petitioner used to tease the
daughter of the informant and on fateful day finding her alone
she was kidnapped and physically as well as sexually assaulted
by the petitioner.

Learned counsel appearing on behalf of petitioner



submits that petitioner is innocent and he has falsely been implicated in this case due to previous enmity. He further submits that in fact no such incident took place. The petitioner has clean antecedent and he is in custody since 26.02.2021.

Learned A.P.P. for the State vehemently opposed the prayer for grant of bail to the petitioner and submits that from perusal of the case diary, there are sufficient materials available against the petitioner. The victim has supported the prosecution case in her statement recorded under Section 164 of Cr.P.C.

Considering the seriousness of the offence and allegation made under Section 8 of the POCSO Act, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for grant of regular bail is rejected.

However, the learned trial Court is directed to conclude the trial expeditiously.

(Purnendu Singh, J)

manish/-

U		T	
---	--	---	--

