

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37311 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- MAHILA P.S. District- Siwan

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Mohammad Arman @ Md. Arman Son Of Md. Alamgir Sah @ Alique Sah
R/O- Village- Rampur Pandey Tola, P.S.- Bhagwanpur Hat, Dist.-SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-09-2022 Let the defect(s), 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
Siwan Mahila P.S. Case No. 03 of 2022 lodged under Section
376 of the I.P.C. and Section 4/6 POCSO Act.

As per the prosecution case, the allegation of rape
upon minor girl is there in the F.I.R. Learned counsel for the
petitioner submits that both the petitioner and informant are
neighbours. He further submits that the entire case has been
filed in view to solemnize the marriage between the alleged
victim and the petitioner. Learned counsel for the petitioner
further submits that petitioner is in custody since 03.03.2022

having clean antecedent and charge sheet has already been filed.
Learned counsel for the petitioner submits that there is a delay
of 48 days in filing the present F.I.R.

Learned counsel for the State opposes the prayer for
bail and submits that the allegation of rape is there in the F.I.R.
and charge sheet has been filed in the same provision of law as
well as 164 statement the victim has fully supported the
commission of rape against her.

In the present facts and circumstances of this case and
the submissions made above, I am not inclined to grant bail and
the bail application is rejected.

(Dr. Anshuman, J.)

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