

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47374 of 2021**

Arising Out of PS. Case No.-1 Year-2021 Thana- SHAHKUND District- Bhagalpur

Mahbob Mansuri Son of Md. Faruk Mansuri Resident of Village - Khaira,
P.S.- Sahkund, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Shyam Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 21-01-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Shahkund P.S. Case No. 1
of 2021, registered for the offence punishable under Section 376
of the Indian Penal Code and section 4/8 of the POCSO Act.

As per the FIR, this petitioner kidnapped and
committed rape with minor daughter of the informant.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. In fact,
husband of informant has taken loan of Rs. 50,000/- from father
of this petitioner and when the same was demanded, this false
case has been lodged. The victim girl was medically examined
and there is no evidence of recent sexual intercourse as per the
doctor. Petitioner is in custody since 04.01.2021 having no



criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that the victim girl in her statement under Section 164 has duly supported the prosecution case and her age has been assessed to be 8-10 years.

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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