

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46878 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- AMDABAD District- Katihar

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Sheikh Rahmat Son of Md. Naimuddin Resident of Village - West Tola,
Amdabad, P.S. - Amdabad, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv. with
Mr. Amit Kumar Anand, Adv.,
Mr. Kumar Rajdeep, Adv.

For the Opposite Party/s: Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 27-09-2022 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
G.R. Case No. 935 of 2021 arising out of Amdabad P.S. Case
No. 58 of 2021 lodged under Section 376 of the I.P.C. read with
Section 4 of the POCSO Act.

As per the prosecution case, the informant has
disclosed that the petitioner used to stop on many occasions and
put pressure for love. Subsequently, he obtained mobile no. and
started disturbing her. The specific allegation is on the night of
01.03.2021, when allegation of rape is there. The victim girl has

supported the allegation of rape in her statement under Section 164 of Cr.P.C.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that it is a matter of love affair which has been categorically stated by the victim in her statement under Section 164 of Cr.P.C.

Learned counsel for the petitioner further submits that petitioner is a man of clean antecedent. He is in custody since 22.03.2021, charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that the alleged victim has narrated the story of rape with her in her statement under Section 154 and subsequently supported her statement under Section 164 of Cr.P.C.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Trial Court is directed to expedite the trial preferably within one year.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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