

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45548 of 2022

Arising Out of PS. Case No.-153 Year-2022 Thana- FORBESGANJ District- Araria

MD. DANISH @ DANISH AFROZ @ MD. DANISH AFROZ SON OF MD.
AFROZ ALAM R/O VILLAGE- FORBESGANJ, WARD NO. 15, P.S.-
FORBESGANJ, DISTRICT- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Swetabh

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 376 of the
Indian Penal Code and Section 3 of Protection of Children from
Sexual Offences Act (POCSO) pending in the Court of learned
Additional Sessions Judge-VI-cum-Special Judge (POCSO),
Araria.

Petitioner is said to have forcibly committed rape



upon the daughter of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that that occurrence was taken place on 08.01.2022 but the F.I.R. lodged on 10.02.2022 after a delay of more than one month. He submits that there is no any explanation in the delay of filing the present F.I.R. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the statement of the victim was recorded under Section 164 Cr.P.C. in which she had supported the prosecution case, hence he does not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined the enlarge the petitioner on bail in connection with Forbesganj P.S. Case No.153/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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