

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60536 of 2021**

Arising Out of PS. Case No.-17 Year-2021 Thana- MAHILA PS District- Gaya

Md. Ashique Mian @ Md. Ashique @ Md. Asik S/O Late Islam Mian R/O
Village-Keshru, P.S-Chandauti, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 11-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with POCSO Case No. 68 of 2021 arising out of Mahila (Gaya) P.S. Case No. 17 of 2021 registered for the offences punishable under Sections 376, 376(3) of the Indian Penal Code read with Section 5 (J)(ii) and 6 of POCSO Act.

According to prosecution case, on the basis of the written complaint of the informant to the police, alleging therein the accused Md. Ashique Mia misbehaved her and committed rape on the point of knife and got her pregnant.



Learned counsel for the petitioners submits that the petitioner is aged about 65 years and he has falsely been implicated in this case. He further submits that the petitioner is in custody since 21.05.2021.

The learned Additional Public Prosecutor has opposed the prayer of bail by contending that the victim is 15-16 years old and has been found pregnant of 21 weeks. The victim girl in her statement recorded under section 161 Cr.P.C. and 164 Cr.P.C. has stated that Md. Ashique Mia has committed rape and threatened her if she disclose the matter to anyone.

Considering the nature of allegation leveled against the petitioner, the Court is not inclined to grant the bail to the petitioner. Accordingly, the prayer for bail is rejected.

However, learned trial court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

mdrashid/-

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

