

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58626 of 2022

Arising Out of PS. Case No.-264 Year-2021 Thana- BENIPATTI District- Madhubani

Md Ekramul Haque @ Sonu S/o Md. Tamanna @ Md. Tammann Resident of
Village- Nazra (Nazara), P.S.- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and
learned APP for the State.

The Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 376, 143, 341, 323, 325, 380, 448, 504, 506 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

Allegation against the petitioner is that he committed rape with the minor girl aged about 15 years of the informant.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case and the allegation as alleged in the F.I.R. is false and fabricated.



Learned APP for the State, on the other hand, on the basis of the material available on record and submits that the victim girl was recovered and her statement was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that the petitioner always harass the victim and forcefully made physical relations with her more than once.

In view of the aforesaid, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Benipatti P.S. Case No. 264 of 2021 pending in the Court of learned Additional Sessions Judge VIIth cum Special Judge POCSO Act, Madhubani. Prayer for anticipatory bail is refused.

(Rajesh Kumar Verma, J)

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