

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66769 of 2021**

Arising Out of PS. Case No.-441 Year-2021 Thana- DHAKA District- East Champaran

MAKBUL ANSARI S/O GAFUR ANSARI R/o village- Karmawa, P.S.-
Dhaka, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 20-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Dhaka
P.S. Case No. 441 of 2021 registered for the offences punishable
under Section 376(iii) of the Indian Penal Code and Section 4/8
of the POCSO Act and Section 3(i)(r)2(V) S.C./S.T Act.

As per prosecution case, informant happens to be
the mother of victim and it is alleged that the petitioner
kidnapped the victim forcibly who is minor and petitioner took
the victim to field where he committed rape.

Learned counsel for the petitioner submits that
petitioner is in custody since 06.9.2021 and bears no criminal



antecedent. He further submits that petitioner has been falsely implicated in the case due to dirty village politics and he has not committed any offence as alleged.

The learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner and the same is supported and corroborated by statement of victim recorded under Section 164 of Cr.P.C.

Considering the facts and circumstances of the case as well as nature of allegation levelled against petitioner coupled with statement of victim under Section 164 Cr.P.C, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner is hereby rejected.

(Alok Kumar Pandey, J)

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