

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67083 of 2021

Arising Out of PS. Case No.-130 Year-2021 Thana- KARPI District- Jehanabad

AKBAR ANSARI @ SONU Son of Sher Mohammed Ansari Resident of
Village- Baghara, P.s.- Karpi, Dist. Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nitya Nand Neeraj, Sr. Advocate Mrs. Kumari Anjani Sinha, Advocate
For the Opposite Party/s	:	Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 13-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Karpi P.S. Case No. 130 of 2021 registered for the alleged offences under Sections 363, 365, 504 and 34 of the Indian Penal Code.

As per prosecution case, the daughter of the informant went missing from the market. The informant named this petitioner who took away the daughter of the informant giving her inducement.



Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Allegation against him are all false, fabricated and concocted. The petitioner and the informant are co-villagers and next door neighbors and due to village politics, petitioner has been falsely implicated in this case. Learned counsel further submits that as the informant has stated the age of the daughter to be 18 years and there is no application of POCSO Act in this case. Charge sheet has been submitted in this case and the petitioner is in custody since 31.07.2021

Learned APP for the State opposes the prayer for bail of the petitioner submitting that witnesses in paragraphs 6 and 7 of the case diary have supported the prosecution case. Learned APP further submits that the victim in her statement recorded under Section 164 Cr.P.C. has stated that the petitioner took her away and committed rape to her 6-7 times. The Magistrate has assessed the age of the victim girl to be 14 years.

Perused the records.

Having regard to the submission made on behalf of the parties and considering the fact that victim girl has specifically named this petitioner who has taken her away and committed rape with her, I am not inclined to enlarge the



petitioner on bail at this stage.

Accordingly, his prayer for grant of bail is rejected.

The learned trial court is directed to expedite the trial
and conclude the same within nine months.

(Arun Kumar Jha, J)

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