

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16529 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- NASRIGANJ District- Rohtas

Hajrat Ali @ Sanichar Son of Hasan Ansari @ Hasan Miya @ Md. Hasan Ansari, Resident of Village - Pokhraha, P.S.- Nasriganj, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Pd. Singh, Adv.
For the State	:	Mr. Narendra Kumar Singh, APP.
For the Informant	:	Mr. Dhaneshwar Pd. Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-05-2023 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State as well as learned counsel for the informant.

The petitioner seeks regular bail in connection with Nasriganj P.S. Case No. 221 of 2020 dated 08.11.2022, lodged under Sections 341, 323, 354(B), 504, 506 of the Indian Penal Code read with Section 12 of the Prevention of Children from Sexual Offence Act.

As per prosecution case, the allegation of outraging the modesty is against the petitioner in the F.I.R.

Learned counsel for the petitioner submits that from the contents of F.I.R. it become clear that it is false F.I.R. He



further submits that the occurrence has been took place on 02.11.2022 whereas the case has been filed on 08.11.2022 and delay has not been explained in the F.I.R. He also submits that the time of offering *Namaj* is also not correctly given in the F.I.R. Learned counsel for the petitioner further submits that antecedent of petitioner is clean and he is in custody since 03.01.2023.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposed the prayer for bail and submits that there is a direct allegation in this case of commission of offence and the alleged victim is minor.

Upon specific query from the counsel for petitioner that whether charge has been framed in this case or not, learned counsel shows his inability and submits that he is not aware that charge has been framed in this case or not.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present but liberty is hereby granted to the petitioner that he may renew his prayer for bail after one year of framing of charge.



With this observation, the bail application stands
rejected.

(Dr. Anshuman, J.)

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