

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24844 of 2022

Arising Out of PS. Case No.-249 Year-2019 Thana- SHASTRINAGAR District- Patna

SHAUKAT ALI KHAN @ RAJU @ SHAUKAT SULTAN KHAN, S/o Late
Allauddin Khan @ Allu Khan, Resident of Samanpura Raja Bazar, Old
Masjid, P.S.- Shastri Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Mushtaque Alam, Advocate

For the Opposite Party/s : Ms.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 09-01-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

Supplementary affidavit is filed by learned counsel for the
petitioner, which is taken on record.

The petitioner seeks bail in connection with Shastri Nagar
P.S. Case No. 249 of 2019 registered for the offence punishable
under Section 354(A)(B) of the Indian Penal Code and Sections 7
and 8 of the POCSO Act.

The victim is a seven year old girl.

Learned counsel for the petitioner submits that it is a case
of false implication. At the trial, the prosecution case has not been
supported by the witnesses. The petitioner is stated to be in custody
since 11.01.2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, having regard to the
nature of allegations alleged to have been perpetrated against a seven
year old girl, as also the fact that witnesses have deposed at the trial,
this Court, for the purposes of grant of bail, is not inclined to allow



the petitioner’s prayer for bail.

Prayer for bail of the petitioner is rejected.

However, there is an observation that the trial court should make all sincere efforts to conclude the trial without any unnecessary delay or undue adjournments.

(Madhuresh Prasad, J)

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