

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26376 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- MAHILA P.S. District- Araria

MD. RAMJAN ANSARI @ MD. RAMJAN @ RAMJAN SON OF FIROZ
ANSARI Resident of village - Ashabhag, Bathraha, ward no. 15, P.S. -
Sonamani, Gudam, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Jha, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
25.01.2023 in connection with Mahila P.S.Case No.03 of 2023,
F.I.R. dated 22.01.2023 registered for the offence punishable
under Sections 341,354,376,504,506/34 of IPC and Section 4 of
POCSO Act.

3. Allegation against the petitioner is that he
committed rape upon the informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. Further submits that
the allegation as alleged in the FIR is false and fabricated and



the petitioner has not committed any offence as alleged in the FIR. Further submits that the date of occurrence as alleged in the FIR is 17.01.2023 but the present FIR has been instituted on 22.01.2023 after delay of five days without giving any explanation of delay.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim under Section 164 Cr.P.C. was recorded in which she has categorically stated that the petitioner has committed rape upon her and as per the medical report of the victim is concerned, the same was conducted on 25.01.2023.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Mahila P.S.Case No.03 of 2023 pending in the court of learned Special Judge (POCSO)-cum-Additional Sessions Judge-VI, Araria.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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