

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34766 of 2022

Arising Out of PS. Case No.-318 Year-2021 Thana- DEHRI TOWN District- Rohtas

=====

Aftab Ansari Son of Afjal Ansari Resident of Mohalla - Barah Pathar, Ward No.- 35, Dehri-on-Sone, P.S.- Dehri (T), District - Rohtas. Manaura, P.S.- Dehri (T), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Ms. Usha Kumari 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

9 01-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 366A, 354, 379, 504, 506 and 34 of the Indian Penal Code, 3(2)(v) of SC/ST Act and police have submitted the charge sheet under Section 366A, 376 of the Indian Penal Code and 3(2)(v) of the SC/ST Act and 4/6 of POCSO Act.

According to prosecution case, the petitioner



kidnapped the daughter of the informant with an intention to marry her and when the informant along with her husband and son went to the house of the petitioner in search of her daughter, Nehru Nisha and the petitioner abused them by calling their caste name and forced them to flee away and assaulted her husband and son with lathi.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the entire proceeding is false and concocted. He further submits that in fact, the petitioner and the victim girl was in love. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 25.06.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim girl was recorded under Section 164 of the Cr.P.C. in which she has particularly stated that the petitioner has committed rape upon her.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 44 of 2021 arising out of Dehri(T) P.S. Case No. 318 of



2021 pending in the court of learned Additional District Judge –
VII, Rohtas at Sasaram.

Prayer is refused.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

