

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45035 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- MAHILA PS District- Buxar

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Raja Ansari Son of Md. Anish Ansari, R/o Village- Sirikantpur, P.S.- Rajpur,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 16-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences
punishable under Sections 376, 504, 506/34 of the Indian Penal Code
and 4 of POCSO Act, 2012.

According to prosecution case, the petitioner is alleged to
have made physical relation with the informant on the assurance of
marriage.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been implicated in
the present case. He further submits that in fact the petitioner and
victim was in love. He further submits that the petitioner has not
committed any offence as alleged in the F.I.R.

Vide order dated 01.02.2023, a report was called for with
regard to stage of trial. Report dated 10.02.2023 reveals that out of 11



charge sheeted witnesses, five witnesses have already been examined. Learned counsel for the petitioner submits that on 10.02.2023, two witnesses have also been examined and now out of eleven witnesses only four witnessed have yet to be examined.

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

Considering the report of the Trial Court, I am not inclined to enlarge the petitioner on bail, in connection with Buxar Mahila P.S. Case No. 29/2022, pending in the court of learned Additional Sessions Judge 6th-Cum-Special Court POCSO Act, Buxar.

Prayer is refused.

However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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