

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63228 of 2023

Arising Out of PS. Case No.-37 Year-2022 Thana- RAUTA District- Purnia

Md. Mohsar @ Mohsar Son Of Mahboob @ Md. Mahboob Alam Under The
Guardianship Of His Father Mahboob@ Md. Mahboob Alam Son Of
Amaluddin Resident Of Village- Maujabari, P.S.- Rauta, Dist.- Purnea
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mrityunjay Kumar, Advocate
For the Opposite Party : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Rauta P.S. Case No. 37 of 2022 dated 08.04.2022, instituted for
the offence punishable under Sections 341, 363, 504/34 of the
Indian Penal Code and subsequently cognizance has been taken
under Sections 341, 323, 363, 366 376 and 6 of the POCSO Act.

3. The case of prosecution, in short, is that the
petitioner along with other co-accused forcibly kidnapped the
daughter of the informant. When the informant asked about her
daughter to the accused persons, they flew away by way of
abusing him.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has falsely been implicated in this case. It is submitted that the petitioner is a minor and has no concern with the alleged occurrence. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Since the victim girl has supported the case of prosecution in her statement under Section 164 Cr.P.C. and she stated against the petitioner regarding commission of rape, I am not inclined to grant the anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Khatim Reza, J)

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