

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55639 of 2023

Arising Out of PS. Case No.-101 Year-2023 Thana- KATEYA District- Gopalganj

IBRAHIM SHAIKH @ IBRAHIM SHEKH SON OF MAJID SHAIKH
RESIDENT OF VILLAGE- BAIRIYA TOLA, HUSSAINPUR, PS-
KATEYA, DISTT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramendra Kumar Bharti, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 2 04-09-2023 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. Petitioner, who is in custody since 06.03.2023 seeks bail, in connection with Kateya P.S. Case No.101/2023, dated 05.03.2023, for the offences punishable under Sections 376(3), 313, 342 and 506 of the IPC & Sections 4 and 6 of POCSO Act.
3. According to prosecution case, the petitioner is alleged to have committed rape upon the minor daughter of the informant and thereafter caused her miscarriage.
4. 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 the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R.

5. Learned Additional Public Prosecutor 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 was recorded under Section 161 Cr.P.C. as well as under Section 164 Cr.P.C., in which she has categorically supported the allegation as alleged in the F.I.R and the Medical report of the victim also suggests that the victim was pregnant at the time of medical examination and the date of birth of the victim suggests that she was aged about 15 years at the time of occurrence.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Kateya P.S. Case No.101/2023, pending in the Court of learned Additional Sessions Judge-VI-cum-Special Judge POCSO, Gopalganj.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

amit/-

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

