

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59867 of 2022

Arising Out of PS. Case No.-432 Year-2022 Thana- NAUTAN District- West Champaran

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Safi Alam @ Shafi Ahmad S/O Taimul Azam @ Taimul Ansari Resident Of
Village- Nakati Paterawa, P.S.- Jagdishpur, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 09-10-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Section 376 of the Indian Penal Code and Section 4/6

of the POCSO Act.

It is a case of commission of rape to the

minor daughter of the informant by the petitioner.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely



been implicated in this case. The petitioner is next door neighbour of the informant and in the background of some previous enmity, the petitioner has been roped in the present case. The victim was also medically examined and the doctor has not found any sign of rape upon the victim. The petitioner is languishing in custody since 10.08.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that victim is minor aged about 11 years and the victim in her 164 Cr.P.C statement has specifically alleged against the petitioner that he forcefully committed rape upon her.

Considering the fact that thrust of accusation is against the petitioner, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.



The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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