

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66364 of 2023

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

Aftab Ansari S/O Afzal Ansari R/O Mohalla- Barah Pathar, Ward No. 35,
Dehri-On-Sone, Ps. Dehri (TOWN), Dist. Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-12-2023 Heard Mr.Shankar Kumar, learned counsel for the
petitioner and Mrs.Usha Kumari 1, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 25.06.2021 in connection with POCSO Case No. 44 of 2021 arising out of Dehri Town P.S.Case No.318 of 2021, F.I.R. dated 18.06.2021 in which the charge has been framed under Sections 366(A), 376 of the Indian Penal Code, Section 3(2)(va)(W) of SC/ST Act and Section 5/6 of POCSO Act read with Sections 4 and 7 of Immoral Traffic Prevention Act.

3. Earlier the prayer for bail of the petitioner was refused vide order dated 01.02.2023 passed in Cr. Misc. No.34766 of 2022.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely



been implicated in the present case and the in the present case the trial has began and the father and mother of the victim have not supported the case of the prosecution.

5. Vide order dated 06.10.2023, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 13.10.2023 reveals that out of nine chargesheet witnesses, five witnesses have already been examined and the victim has fully supported the case of the prosecution.

6. Considering the aforesaid fact and there is direct and specific allegation against the petitioner that he committed rape upon the victim, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 44 of 2021 arising out of Dehri Town P.S.Case No.318 of 2021 pending in the court of learned Additional District and Sessions Judge -VII-cum-Exclusive Special Court (POCSO) Act, Rohtas at Sasaram.

7. Prayer is refused.

8. 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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