

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 70173 of 2023

Arising Out of PS. Case No.-8 Year-2022 Thana- MAHILA P.S. District- Kishanganj

Nafis Alam @ Nafis Raza Son Of Mojib Alam Resident Of Village-
Patharkatti Biwiganj, Ps- Kodhobari, Distt- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Kishanganj Mahila P.S. Case No. 08 of 2022 instituted for the offence under Sections 341, 323, 354(B), 313, 376, 506 and 34 of the Indian Penal Code and Section 4 of the POCSO Act.

Allegation against the petitioner is that he committed rape with the minor victim girl(informant) on the pretext of marriage.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this present case. There is delay of four years in lodging the FIR without explaining the same. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.



Moreover, he is languishing in judicial custody since 16.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and victim stated in her statement recorded under Section 164 of the Cr.P.C. that this petitioner committed rape with her and also he forcefully administered medicine to abort her pregnancy. The victim is minor at the time of commission of rape.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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