

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.71288 of 2022**

Arising Out of PS. Case No.-390 Year-2022 Thana- RAJAOLI District- Nawada

MD. SADIQ HUSSAIN @ MONU MIAN @ SADIQUE HUSSAIN @  
MD.SADIQ SON OF MD. TASLIM MIAN @ TASLIM MIAN R/O  
VILLAGE- MASAI, P.S.- RAJAULI, DISTRICT- NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

3      10-05-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since  
17.10.2022 in connection with Rajauli P.S. Case No. 390/2022,  
F.I.R. dated 27.07.2022, for the offences punishable under  
Sections 365, 366(a) of the Indian Penal Code and Sections 8  
and 12 of POCSO Act.

According to prosecution case, the petitioner along  
with other co-accused persons are said to have kidnapped the  
minor daughter of the informant while she went to market for  
purchasing cloths.

Learned counsel for the petitioner submits that  
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.

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 allegation as alleged in the F.I.R. is supported by the statement of the victim recorded under Section 164 of the Cr.P.C. She has stated that the petitioner has committed rape upon her.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Rajauli P.S. Case No. 390/2022, pending in the court of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Nawada.

Prayer is refused.

**(Rajesh Kumar Verma, J)**

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