

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71222 of 2022

Arising Out of PS. Case No.-348 Year-2021 Thana- MADHUBAN District- East Champaran

MD. SAKIB Son of Md. Mustak R/V- Garahiya, P.S- Madhuban, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-03-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehend his arrest in connection with Madhuban P.S. Case No.348 of 2021, registered for the offence punishable under Sections 376, 313, 34 of the Indian Penal Code and section 4/6 of the POCSO Act.

The allegation against the petitioner is that he made physical relationship with the informant on the pretext of marriage but later on denied to marry her.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that the allegation is after thought with a view to harass the petitioner



and his family members. He further submits that from the annexure-2 series as well as medical report the informant is/was a major. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the victim has supported the prosecution case in her statement recorded u/s 164 Cr.PC.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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