

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6254 of 2024

Arising Out of PS. Case No.-514 Year-2023 Thana- BUXAR District- Buxar

Md. Azad @ Mohamad Azad @ Mohammad Ajad Son Of Late Sheikh
Khudarakh @ Late Khudarakh Resident Of Village - Badahiya Tola, Police
Station - Majhauria, District - West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Buxar Town P.S. Case No.514 of 2023, lodged on 22.09.2023,
under Sections 363/363A of the Indian Penal Code and Sections
8/12 of the POCSO Act.

3. As per the prosecution, FIR has been lodged against
three named accused persons other than the petitioner against
whom there is allegation that they have kidnapped the niece of
the informant.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
submits that there is absolutely no allegation against the



petitioner. Counsel submits that petitioner is also handicapped. He has two criminal antecedents. He is in custody since 01.10.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that on the previous occasion case-diary along with statement under Section 164 Cr.P.C. were called for in this case. Upon perusal of the statement recorded under Section 164 Cr.P.C. it transpires to this Court that the allegation of rape continuously three days is there against the petitioner and the victim has disclosed the name of this petitioner.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner is hereby rejected. The trial Court is directed to expedite the trial and conclude the same as early as possible.

(Dr. Anshuman, J)

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