

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8807 of 2024

Arising Out of PS. Case No.-376 Year-2023 Thana- CHAKAND District- Gaya

Md. Shahzad @ Mahammud Shahzad S/O- Md. Ishhak R/O- Village- Bitho Sharif, Ward No.- 12, P.S.- Chakand, Dist.- Gaya, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 16-04-2024 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in a case registered for the offence under Section 377 of the Indian Penal Code, Section 8/12 of the POCSO Act and Section 37 of the Bihar Prohibition and Excise Act.

3. Petitioner tried to commit rape with a eight year old child and victim has supported the prosecution case in her statement recorded under Section 164 of the Cr.P.C.

4. Learned counsel for the petitioner submits that two witnesses have been examined including the informant and they have not supported the prosecution case and the petitioner is in custody since 07.11.2023. He further submits that the matter has been settled between the parties.



5. Learned counsel for the informant has supported the argument(s) of the learned counsel for the petitioner.

6. Learned A.P.P. has vehemently opposed the prayer for bail and has submitted that since the petitioner has tried to commit rape with eight year old child and petitioner has tried to tamper with the evidence.

7. Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner.

8. Accordingly, this application for regular bail is dismissed.

(Sandeep Kumar, J)

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