

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14936 of 2024

Arising Out of PS. Case No.-122 Year-2023 Thana- BIRAUL District- Darbhanga

Md. Shekhawat Ansari @ Shekhabat Ansari S/O Alim Ansari R/O Village-
Pokharam, P.S- Biraul, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siyaram Shahi, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Biraul
P.S. Case No. 122 of 2023 dated 25.03.2023, instituted for the
offence punishable under Sections 376(2)(m) of the Indian
Penal Code and Section 4/6 of the POCSO Act.

3. The prosecution case, in short, is that the
informant's daughter was allegedly raped by the petitioner. He
also abused the informant and threatened to kill her and her
daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that four witnesses were examined
out of which P.W. 1 was examined by video conferencing and



she could not identify the petitioner and was declared hostile. P.W. 2 (mother of the victim) was also declared hostile as she submitted that the petitioner had not committed rape of her daughter. P.W. 3 (father of the victim) also did not support the case of the prosecution and was declared hostile by the court. Lastly, it has been submitted that the petitioner is in custody since 25.03.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (POCSO Act), Darbhanga in connection with Biraul P.S. Case No. 122 of 2023.

(Khatim Reza, J)

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