

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17613 of 2024

Arising Out of PS. Case No.-57 Year-2021 Thana- MAHILA P.S. District- Madhepura

Md. Zafran Son Of Md. Dawood @ Mohammad Daud Alam Resident Of
Village- Jhitkiya, Ward No. 3, Ps- Shankarpur, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Madhepura (Mahila) P.S Case No. 57 of 2021 from the Court of
learned Additional Sessions Judge-VI-cum Spl. Judge, POCSO,
Madhepura registered for the offences punishable under
Sections 376(3)/323/504/506/34 of the I.P.C and 4 of the
POCSO Act.

3. As per prosecution case, it is alleged that petitioner
committed the rape of the minor victim.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is also
submitted that petitioner is in judicial custody since 11.07.2022



and petitioner has got no criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. In view of the allegation, FIR, impugned order, and on perusal of the trial court report it appears that the trial is presently running at the stage of argument and likely to be disposed off within two months and also the allegation against the petitioner that he has established physical relation with the minor victim and considering the all aspects of this case, this Court is not inclined to grant bail to the petitioner.

7. Hence, the prayer for regular bail of the petitioner is hereby rejected. However, trial court is directed to conclude the trial as reported by the trial court with the co-operation of the petitioner.

(Ramesh Chand Malviya, J)

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