

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47922 of 2024

Arising Out of PS. Case No.-68 Year-2022 Thana- PARSAUNI District- Sitamarhi

Saddam Ansari S/o Ijrail Ansari @ Israil Ansari R/o vill - Parsauni Mailawar,
P.S. - Parsauni, Distt. - Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXXX D/o Kariman Ansari Resident of Village-Parsauni Mailawar, Police Station-Parsauni, District-Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Parsauni P.S. Case No. 68 of 2022, registered for the offences punishable under Sections 323, 504, 506, 34, 342, 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. The informant alleges that about five months back, this petitioner threatened her, thereafter, he raped her several times. The informant further alleged that when her aunt asked her then she disclosed about the occurrence. Thereafter, they went to the house of this petitioner when the parents of petitioner abused them and ousted them from the house.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case due to dirty village politics. The First Information Report has been lodged after an inordinate delay of 5 months without any plausible explanation. The victim in her statement recorded under Section 164 Cr.P.C. has stated her age 18 years. Petitioner is in custody since 01.12.2023.

5. Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer for bail and submits that petitioner is named in the F.I.R. with specific allegation that he committed rape with the victim several times. The victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case. Hence, petitioner does not deserve to be enlarged on bail.

6. Having considered the accusation and gravity of offence as the statement of victim recorded under Section 164 Cr.P.C., this Court is not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is rejected.

(Prabhat Kumar Singh, J)

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