

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63243 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- Mufassil District- Purnia

Murtej Ansari @ Gulam Murtaja @ Murtaja Ansari Son of Sattar Ansri
Village- Veerpur Kishanpur Bhatoria, P.S.- Sadar Muffasil, Ranipatra, Distt.-
Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ekramul Son of Naeuddin R/O Vill.- Bhatoria, Veerpur, P.S.- Sadar Muffasil, Dist.- Purnea.

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP
For the Informant : Mr. Ajit Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 09-12-2024 Heard Mr. Bijendra Kumar Singh, learned counsel for
the petitioner and Mr. Choubey Jawahar, learned APP for the
State.

2. The petitioner seeks bail in connection with Sadar Muffasil P.S. Case No. 13 of 2024 instituted for the offences under Sections 323, 376, 379 of the Indian Penal Code and Section 4/10 of the POCSO Act.

3. Allegation against the accused persons including the



petitioner is of commission of rape upon the minor victim.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner is innocent and has not committed any offence. Learned counsel further submitted that there is a delay of twenty-eight days in lodging the complaint without plausible explanation, which in itself, raises doubt over the prosecution story. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State submitted that victim in her statement under Section 164 of the Cr.P.C. has supported the case of the prosecution. Learned counsel for the informant further submitted that trial is in progress and two witnesses including the victim have been examined.

6. Considering the aforesaid facts and circumstances of the case, statement of the victim under Section 164 of the Cr.P.C. and the stage of the trial, this Court is not inclined to grant bail to the petitioner.



7. The prayer for grant of bail to the petitioner is
rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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