

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68087 of 2024**

Arising Out of PS. Case No.-81 Year-2024 Thana- CHIRAIYA District- East Champaran

Israjul Haque @ Md. Serajul Hak Son of Late Khobari Mian Village- Bairiya  
Tola Haraj, PS- Shikarganj, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asmin Khatoon Wife of Shekh Mustaffa resident of village- Bairiya Tola  
Haraj, Ps- Sikarganj, Dist- East Champaran

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rakesh Kumar, Advocate  
For the Opposite Party/s : Mr. Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      01-10-2024                      Heard Learned Counsel for the petitioner and Learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with  
Chiraiya (Sikarganj) P.S. Case No. 81 of 2024, lodged on  
25.02.2024, under Sections 376/511 of the Indian Penal Code  
and under Sections 4/8 of the POCSO Act.

3. As per the prosecution, the mother of the informant  
has alleged that the accused persons had tried to outrage the  
modesty and attempted to rape on her 5 to 6 years old girl.  
When the child returned to her home, she disclosed the incident  
to her mother then the informant reached there to inquire from  
the accused then he started abusing and threatened to kidnap her



child.

4. Learned Counsel for the petitioner submits that petitioner is 50 per cent disabled and the antecedent of the petitioner is clean. He is in custody since 26.02.2024. Counsel submits that petitioner is innocent and has committed no offence.

5. Upon the specific query of the Court that what is the nature of disability, he is not in a position to explain. On further query of the Court that why the informant had disclosed your name in the FIR. There is no plausible explanation.

6. Learned Counsel for the State, on the other hand, opposes the prayer for bail and submits that in the rejection order the statement of the victim, recorded under Section 164 Cr.P.C. has been taken in which the victim has supported the allegation made in the FIR.

7. In this view of the matter, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby rejected.

**(Dr. Anshuman, J)**

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