

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69965 of 2024

Arising Out of PS. Case No.-179 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

Mutaj Khan @ Mumtaj Khan Son of Kaish Khan @ Kais Khan R/O Village-
Katkauli, PS- Buxar Industrial, Distt.- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Samsad Ansari Son of Rafik Ansari R/O Village- Bhatawalia, PS- Buxar Industrial, Distt.- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rang Nath Choubey, Advocate
For the Opposite Party/s	:	Mr. Prem Kumar Jha, APP
For the Informant	:	Mr. Niraj Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 09-12-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Buxar Industrial P.S. Case No. 179 of 2024 instituted for the offences under Section 75 of the Bharatiya Nyaya Sanhita, 2023 and 8 of the POCSO Act.

3. This petitioner is alleged to have sexually assaulted the informant's niece who is minor.

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 as alleged in the FIR. Learned



counsel further submitted that no medical examination of the victim has been done. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.08.2024 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 further submitted that victim is minor and in her statement recorded under Section 164 of the Cr.P.C., she has supported the case of the prosecution. Learned counsel for the informant further submitted that police, after investigation, submitted charge-sheet under Section 65(2) of the BNS and 4, 6 of the POCSO Act.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail is rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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