

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72135 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- BAIRGACHHAI District- Araria

Sarwar Adil @ Md. Sarwal Aadil S/o Abdul Waris R/o vill - Koshkipur, ward no. 1, P.S. - Baigachhi, Distt. - Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sana Parween D/o Abdul Waris R/o vill - Koshkipur, ward no. 01, P.s. - Baigachhi, Distt. - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti
For the Opposite Party/s : Mr. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 228-10-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Baigachhi Police Station Case No. 30 of 2024, disclosing offences under Sections 376 of the Indian Penal Code read with Section 6 of the POCSO Act.

3. As per the First Information Report, the petitioner, who is own brother of informant-cum-victim, has committed rape upon her. The petitioner sexually exploited his own sister-cum-victim several times, in result of which the victim girl/informant got pregnant.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has not committed any offence in the manner alleged. The petitioner is having no criminal antecedent and the petitioner has falsely been implicated in the present case based on false and concocted story. He further submits that this false case has been lodged at the instance of his brother-in-law namely Aadil Hussain.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of offence and the fact that there is direct and specific allegation against the petitioner showing his involvement in the alleged occurrence, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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