

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81319 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- PIPRA District- East Champaran

Md. Naushad Alam @ Naushad Alam Son of Md Abdullah Ansari R/O Vill.-
Hardiyabad, P.S.- Pipra, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubina Khatoon Wife of Khurshid Alam R/O Vill.- Hardiyabad, P.S.- Pipra,
Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar No.III, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar Singh, APP
For the Informant	:	Mr.Rajnish Prakash, Advocate
	:	Ms.Lakshmi Kumari, Advocate
	:	Mr.Ankesh Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-12-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Pipra PS case no. 214 of 2024, disclosing offences
punishable under Section 65(1) of B.N.S. and Section 4 and 6 of
POCSO Act.
3. The prosecution story, as per the First Information
Report, is that on 14.08.2024 in the evening, when the informant
was outside of her house, petitioner entered into her house and
committed rape upon her minor daughter, aged about 15 years.
4. Learned Counsel for the petitioner submits that



petitioner has falsely been implicated in this case in order to extort money from him. Learned counsel further submits that earlier there was a marriage negotiation between Tabasum Khatoon of informant side and the petitioner but the same could not succeed, due to which, this false case has been lodged. The petitioner is stated to be having no criminal antecedent.

5. Learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that process under Section 82 Cr.P.C. has been issued and the petitioner has been declared absconder by the learned court below.

6. Heard learned counsel for the parties. From perusal of F.I.R. and impugned order, it appears that there is direct allegation of rape against the petitioner and the victim, who is minor, has supported the prosecution case in her statement made under Section 180 & 183 of B.N.S. Act.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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