

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81887 of 2023

Arising Out of PS. Case No.-288 Year-2023 Thana- NAANPUR District- Sitamarhi

Md. Imran Son Of Md. Kalam R/O Village- Naya Tol, P.S.- Nanpur, Dist.-
Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-01-2024 Heard Mr. Ashok Kumar Jha, learned counsel for
the petitioner and Mr. Arvind Kumar Pandey, learned APP for
the State.

2. The petitioner is apprehending his arrest in connection with Nanpur P.S. Case No. 288 of 2023, F.I.R. dated 16.06.2023 for the offences punishable under Sections 341, 323, 376, 504, 506 and 34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act.

3. According to prosecution case, the petitioner is said to have committed rape upon the daughter of the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R



even the victim has not supported the case of the prosecution.

5. The learned Additional Public Prosecutor on the basis of material available on record has vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the impugned order it appears that the statement of the victim was recorded under Section 164 Cr.P.C. in which she stated that the petitioner has committed rape upon her.

6. Considering the allegation as alleged in the F.I.R and the material available on record, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Nanpur P.S. Case No. 288 of 2023 pending in the court of learned Additional Sessions Judge VI-Special Judge, POCSO Act, Sitamarhi.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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