

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5301 of 2024

Arising Out of PS. Case No.-400 Year-2023 Thana- MADHUBAN District- East Champaran

SHIBU SAHABUDDIN KHAN @ SEBU .S. KHAN Son of Tanveer Khan @
Tanveer Alam Khan Resident of Village-Jagaulia Tola, Gulab Khan, P.S.-
Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Prateek Tandon, Advocate
For the State	:	Mr. Nitya Nand Tiwary, APP
For the Informant	:	Mr. Asif Kalim, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per prosecution case, this petitioner is alleged to have forcibly taken the informant's minor daughter to an abandoned house and committed rape.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the F.I.R. has been lodged after delay of more than two days, without any explanation for the same. It is further submitted that there is contradiction in the statement of the victim and that of the informant with regard to time of occurrence.



5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail. It is submitted that specific accusation is against this petitioner. It is further submitted that the petitioner also has criminal antecedents.

6. Considering the rival submissions, statement of the victim recorded under Section 164 Cr.P.C and criminal antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

