

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1047 of 2024

Arising Out of PS. Case No.-169 Year-2023 Thana- KATEYA District- Gopalganj

Sanullah Ansari @ Sainullah Son of Late Sahdin Ansari Resident of Village-
Nilami Kotwa, P.S.- Kateya, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kr. Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Purushottam Kumar, Advocate
For the Opposite Party/s	:	Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 21-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner has preferred this application for
grant of regular bail in connection with Kateya P.S. Case no.
169 of 2023 registered under sections 376 of the Indian Penal
Code.
3. As per the prosecution case, the informant states
that the petitioner herein committed rape on his 9 year old
daughter which was disclosed by the victim to him.
4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. There is an
unexplained delay of four days in lodging of the F.I.R. The
medical report does not support the prosecution case in so far as



no spermatozoa was found. The petitioner is in custody since 24.8.2023, has no criminal antecedent and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State who submits that there is direct allegation against the petitioner of having committed rape on a 9 year old minor. The victim has supported the allegations both in her statement under section 161 Cr.P.C as also under section 164 Cr.P.C. Further in the medical report the age of the victim has been assessed to be between 14-15 years.

6. Having heard learned counsel for the parties and taking into consideration the allegation of rape on the minor victim in the F.I.R against this petitioner which was supported in her statement under section 164 Cr.P.C, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

Harsh/-

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