

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4578 of 2025

Arising Out of PS. Case No.-357 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Salauddin @ Md. Sahluddin Ansari S/O Late Kamruddin Ansari R/O Village-
Gehuni, P.S.- Bhagawanpur, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vipin Kumar Son Of Late Tuntun Sah Resident Of Ward No. 24, Dighi Kala,
P.S.- Sadar, Distt.- Hajipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 28-04-2025 Heard learned counsel for the petitioner and learned APP
for the State. Despite issuance of valid notice, none appears for
the informant.

2. The petitioner seeks bail in connection with
Hajipur Sadar P.S. Case No. 357 of 2024 instituted for the
offence under Section 376 of the Indian Penal Code and
Sections 4 & 6 of the POCSO Act.

3. Prosecution case in short is that, petitioner was
seen committing rape upon the 4-year-old daughter of the
informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 05-06-2024. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that petitioner neither molested the victim girl nor committed rape upon her, but he has been made sole accused of this case, due to personal enmity on account of business transaction, with the shopkeeper, who is *samadhi* of the petitioner. It is next submitted that there is no injury on the private part as well as on the body of the victim girl. No such occurrence as alleged in the FIR, ever took place.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that victim in her statement recorded under Section 183 of the BNSS, 2023 has supported the prosecution case. Moreover, her mother alleged that blood stained cloth of the victim was handed over to the police. Police after completion of investigation has submitted charge sheet in this case under Section 376 AB and Sections 4 & 6 of the POCSO Act.

7. Considering the aforesaid facts and circumstances of the case, taking into account the nature and gravity of the



offence, this Court is not inclined to grant bail to the petitioner.
Prayer for grant of bail is, accordingly, *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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