

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17951 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- LAURIA District- West Champaran

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Ashraf Ali @ Tedhu, aged about 22 years, S/o Sheikh Meraj @ Meraj Alam
Resident of Village- Barbiro, P.S.- Lauriya, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Najarul Mian S/o Late Molajim Mian Resident of Village- Kandhwaliya,
P.S.- Lauriya, District- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s : Mr. Shaheen Begum, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 02-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody since 22.08.2024 in a case registered for an offence punishable under Sections 376, 341, 323, 504, 506, 34 of the Indian Penal Code and Section 04 of POCSO Act.

3. As per allegation in the FIR, petitioner had committed rape upon the minor daughter of the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that there was love affairs between the informant's daughter and the petitioner and both of them eloped with their respective houses and got married out of their own



sweet will and leading conjugal life as husband and wife. He next submits that petitioner has got no criminal antecedent as stated in para-03 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from perusal of the statement recorded under Section 164 Cr.P.C., it appears that there is direct and specific allegation against the petitioner that had committed rape upon the minor daughter of the informant.

6. From perusal of the First Information Report, entire case diary and impugned order dated 19.09.2024, it appears that there is direct and specific allegation against the petitioner that he had committed rape upon the minor daughter of the informant and also the fact that other witnesses have also supported the prosecution. So, considering the aforesaid facts and circumstances of the case, submission of the learned counsel for both the parties. I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby, rejected.

(Ramesh Chand Malviya, J)

Harshita/-

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