

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29138 of 2025

Arising Out of PS. Case No.-334 Year-2023 Thana- JAYNAGAR District- Madhubani

Anil Kumar Safi @ Anil Kumar son of Ram Vriksh Safi Resident of village
-Bela PS -Jay Nagar District -Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ibrahim Abbasi son of Anul Haqe Resident of village -Bela PS -Jay Nagar District -Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-07-2025 Heard Mr. Rakesh Bihari Singh, learned counsel for

the petitioner and learned Mr. Mukesh Kumar Singh,, A.P.P. for

the State.

2. The petitioner seeks bail, who is in custody since
12.03.2025, in connection with Jay Nagar P.S. Case No. 334 of
2023, FIR dated 08.08.2023 registered for the offence under
Sections 376, 313, 341, 323, 379, 504, 506, 34 of the Indian
Penal Code and 4/8 of POCSO Act.

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

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has



falsely been implicated in this case. From bare perusal of the FIR it appears that the statement of the informant, who is the father of the victim and the statement of the victim which was recorded under Section 164 of Cr.P.C/183 of BNSS suggest that both are contradictory to each other and apart from that the age of the victim in her medical examination suggest that she was major. He further submits that medical report of the victim suggest that no medical evidence of sexual assault was found at the time of the occurrence. The petitioner is rotting in judicial custody since 12.03.2025.

5. Learned A.P.P. for the State, on the other hand, on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that as per the statement of the victim which was recorded under Section 164 of Cr.P.C/183 of BNSS , she has clearly stated that the petitioner committed rape upon her and date of birth of the victim is 25.12.2007 which suggest that at the time of the date of occurrence the victim was minor and date of medical examination is 09.08.2023 and as per allegation in the FIR the alleged occurrence of rape is about six months prior to medical examination.

6. Considering the facts and circumstances of the



case as well as the report of the trial Court, I am not inclined to
enlarge the petitioner on bail in connection with Jay Nagar P.S.
Case No. 334 of 2023 pending in the Court of ADJ-VI, Jay
Nagar, Madhubani.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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