

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85444 of 2024

Arising Out of PS. Case No.-422 Year-2023 Thana- AMAUR District- Purnia

Md. Taiyab Son of Patlu Resident of Haripur Mobaiya, P.S.- Amour, District-
Purnea

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Samsujama S/O Late- Tajuddin R/V- Nuri Tola Haripur, P.S.-Amour, Dist-
Purnea

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Amit Kumar Anand, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP
For the Informant : Mr. Uday Chandra Prasad, Advocate

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

ORAL ORDER

4 14-05-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with Special
(POCSO) Case No. 76 of 2024, CIS No. 76 of 2024 arising out
of Amour P.S. Case No. 422 of 2023 instituted for the offences
under Sections 302, 376D, 120B, 34 of the Indian Penal Code
and Section 6 of the POCSO Act.

3. Prosecution case as emanating from the FIR is that,
on a fateful day of 27.12.2023, unknown miscreants committed
the murder of daughter of the informant and hanged her dead
body on a mango tree.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Md. Nazir but the same has no evidentiary value in the eye of law. Learned counsel further submitted that there is no eye-witness to the alleged occurrence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.01.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that several witnesses have supported the case of the prosecution and this petitioner along with other co-accused persons have confessed his guilt. Learned counsel for the informant further submitted that victim was also subjected to sexual intercourse by the accused persons. Learned counsel for the informant further submitted that prayer for grant of bail of a co-accused person has already been rejected by this Court vide order dated 05.12.2024 passed in Cr. Misc. No. 48267 of 2024.

6. Considering the aforesaid facts and circumstances of the case as also nature and gravity of offence, this Court is



not inclined to grant bail to the petitioner at this stage.

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

(Rudra Prakash Mishra, J)

Alok Verma/-

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