

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9209 of 2020

Arising Out of PS. Case No.-280 Year-2019 Thana- CHHAURADANO District- East
Champaran

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KHURSHID ALAM Son of Tabarak Ansari Resident of Village - Budhwahan
Bhelwa, P.S.- Chauradano, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha
For the Opposite Party/s : Mrs. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-06-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
354-B, 379, 504 & 506/34 of the Indian Penal Code and
Section 8 of the POCSO Act.

While the informant had gone to pick up husk
(bhusa) for feeding the she-buffallow from her house, the
petitioner along with other accused persons, namely, Osim,
Firoj and Inteyazul reached there and started misbehaving with
her and when her brother and aunt came at the place of
occurrence to rescue her, they were assaulted by the accused



persons. When the family members of the informant went to their house to make complain they were also assaulted by them. The accused persons took away the box containing gold ornaments. They also threatened her to face dire consequences in case of filing case against them. With the help of villagers injured were taken to Primary Health Center for treatment.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is also submitted that the parties have compromised the matter by filing a compromise petition before the learned Court below. Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that the allegation against the petitioner is serious in nature. Hence, he does not deserve any sympathy of this Court.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the



learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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