

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72353 of 2021

Arising Out of PS. Case No.-652 Year-2020 Thana- MUFFASIL District- West Champaran

1. Md Anwar@Sk Anwar Son Of Late Sk. Furkan Resident Of Village - Beldari, P.S.- Bettiah Muffasil, Distt.- West Champaran.
2. Seema Khatoon W/O Md. Anwar @ Sk. Anwar Resident Of Village - Beldari, P.S.- Bettiah Muffasil, Distt.- West Champaran.
3. Naziya Khatoon @ Naziya Khatoon D/O Md. Anwar @ Sk. Anwar Resident Of Village - Beldari, P.S.- Bettiah Muffasil, Distt.- West Champaran.
4. Ali Hussain @ Ali Hasan Son Of Md. Anwar @ Sk. Anwar Resident Of Village - Beldari, P.S.- Bettiah Muffasil, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr. Braj Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-07-2022 Learned counsel for the petitioners submits that the petitioner no. 1 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 1.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no. 1.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State for consideration of bail with regard to rest of the petitioners.

Learned counsel for the petitioners undertakes to



remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 366A/34 of the Indian Penal Code and Section 8 of the POCSO Act.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that there is an unexplained delay of about 5 days in lodging the FIR. He submits that the police after investigation, filed the final form against the petitioners but the learned court below has taken cognizance against them on the basis of case diary. He submits that there is no specific allegation against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the allegation levelled against the petitioners are serious in nature and there is sufficient material available against them in the case diary.

Considering the nature of allegation, I am not inclined to enlarge the petitioners on bail. Accordingly, their



prayer for anticipatory bail is rejected in connection with
Bettiah Muffasil P.S. Case No. 652 of 2020.

(Anjani Kumar Sharan, J)

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