

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17043 of 2023**

Arising Out of PS. Case No.-122 Year-2020 Thana- PUPRI District- Sitamarhi

MD. SHAMIM SON OF MD. SAFI @ MD. SHAFI AHMAD RESIDENT
OF WARD NO. - 06, AWAPUR DAKSHIN, P.S. - PUPRI, DISTRICT -
SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashish Kumar Ranjan
For the Opposite Party/s : Mr.Bhanu Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 03-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Pupri
P.S. Case No.122 of 2020, registered for the offence punishable
u/s 341, 323, 504, 354A, 354B, 354, 506 of the IPC and sections
6, 8 of Protection of Children from Sexual Offences Act, 2012.

As per the prosecution case, the petitioner is said to have
entered the house of the victim and tried to forcibly establish
illicit physical relationship with her and when she tried to
escape, he brutally assaulted her. On alarm, the petitioner fled
away after giving threatening of dire consequences.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case with ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that there is general and omnibus allegation against the petitioner and the victim is aged more than 17 years. No medical examination of the victim has been done in the present case. He has two criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner and the victim has supported the prosecution case in her statement recorded u/s 164 Cr.P.C.

Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

However, petitioner is at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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