

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25418 of 2023**

Arising Out of PS. Case No.-39 Year-2022 Thana- MAHILA P.S. District- Samastipur

AARIF KHAN @ MD. AARIF KHAN SON OF KADIR KHAN R/O
VILLAGE- GOSPUR, P.S.- DALSINGHSARAI, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.I, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 20-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 354(B), 341, 323, 504, 506 and 34 of the Indian Penal Code and Section 12 of the POCSO Act.

3. The informant alleges that nine named accused persons including the petitioner came and assaulted her with legs and fists, thereafter it is alleged that on order of Kadir Khan and Israfil Khan petitioner touched the informant inappropriately and caught her hair and dragged her to their room but she was rescued by Rukshana and other nearby



people, it is next alleged that thereafter Jahid Khad, Taiyab Khan and Nooralam threatened to kill the sister of the informant if a case is lodged against them.

4. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the FIR it would manifest that the same does not inspire confidence, it is also submitted that the date of occurrence is 29.04.2022 and the FIR came to be instituted on 25.06.2022 i.e., after a delay of nearly more than 27-28 days which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial



court where the case is pending/successor court in connection with Mahila P.S. Case No. 39 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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