

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46967 of 2023

Arising Out of PS. Case No.-430 Year-2021 Thana- MANJHI District- Saran

Irshad Ansari @ Ishad Ansari S/O Hajrat Ansari R/O Village- Dharni Das Ke
Mathiya @ Balmukund Das Ke Mathiya, Ps. Manjhi, Dist. Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-09-2023 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 341, 452, 376, 511, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that the petitioner tried to commit rape on minor daughter of the informant after entering into his house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that FIR has been registered under Section 341, 452, 376, 511, 504, 506/34 of the I.P.C., but the learned Court below disposed of



the anticipatory bail of the petitioner on presumption that prosecution attracts relevant provisions of POCSO Act, in that view of the matter, consideration of anticipatory bail application is beyond the jurisdiction of the Court. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Considering the facts and circumstances of the case, learned Court below is directed to consider the anticipatory bail application of the petitioner.

6. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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