

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50291 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- MAHILA P.S. District- Sheikhpura

CHHOTU KUMAR @ CHHOTELAL PASWAN SON OF UMESH
PASWAN RESIDENT OF VILLAGE- JAKHAUR, PS- ARIYARI, DIST-
SHEIKHPURA

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manisha Kumari Daughter Of Ajay Paswan Resident Of Village- Jakhaur,
Ps- Ariyari, Dist- Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-10-2023 Heard Mr. Dinkar Kumar, learned counsel for the

petitioner and Mr. Tarkeshwar Nath Thakur, learned APP for the

State.

2. The petitioner is apprehending his arrest connection
with Sheikhpura Mahila P.S. Case No. 19 of 2023, F.I.R. dated
13.05.2023 registered for the offences punishable under
Sections 341, 323, 354(B), 504, 506 of the Indian Penal Code
and Section 8 of the POCSO Act.

3. Allegation against the accused persons including
the petitioner is of molestation upon the minor victim/informant.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that the date of occurrence as alleged in the F.I.R. is 09.05.2023 but the present F.I.R. was instituted on 13.05.2023 after delay of four days afterthought only to implicate the petitioner in the present case.

5. Learned APP for the State, on the other hand, on the basis of material available on record as well as case diary vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation that he has tried to molest the victim girl and the statement of the victim was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that the petitioner and other co-accused person Sohan Kumar tried to commit rape upon her and thereafter they have also assaulted the family members of the victim.

6. Considering the aforesaid facts and the nature of allegation as well as 164 statement of the victim, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Sheikhpura Mahila P.S. Case No.



19 of 2023 pending in the Court of Additional District &
Sessions Judge-VI, Sheikhpura.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Ibrar//-

U		T	
---	--	---	--

