

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24546 of 2024

Arising Out of PS. Case No.-501 Year-2022 Thana- PATRAKARNAGAR District- Patna

Sikandar Chandrabanshi, Male, aged about 29 years, Son of Arjun Ram,
Resident of ward no 11 Mor (Part in Ghoswari) P.O.- More P.S.- Mokama,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Vardhan, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Patrakar Nagar P.S. Case No. 501 of 2022 (Special Case
No. 111 of 2022) instituted for the offences punishable under
Sections 354 (B) and 354 (C) of the Indian Penal Code and
Section 4, 8 and 12 of the Prevention of Children from Sexual
Offences Act.

3. As per the prosecution case, the allegation against
the accused-petitioner is that he being the servant of
informant's house always used to tease the informant and her
minor daughter and also used to try to come near the body of the
informant. It is alleged that the informant told these incident to



her family member but nobody helped her and ignored. It is further alleged to tease by opening pant and by other acts. Thus, on the basis of written application of informant, the present case has been registered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the FIR but he has been implicated in this false case by the informant. He further submits that the petitioner has got no criminal antecedent as stated in para 3 of the petition. It has further been submitted that when the petitioner asked the informant to clear his due amount then the informant threatened him to dire consequences.

5. Learned APP vehemently opposed the prayer for bail of the petitioner contending that there is specific allegation against the petitioner.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-VIth-cum-Exclusive-Special Judge, POCSO, Patna dated 07.02.2024, it appears that the victim minor girl has supported the case of the prosecution in her statement recorded under Section 161 of the Cr.P.C., whereas her mother, i.e., informant of the case also supported the case of the prosecution in her re-statement. The other



witnesses in their statements during investigation have also supported the case of the prosecution.

7. Considering the facts and circumstances of the case, serious allegations against the petitioner and nature of offence, I am not inclined to grant bail to the petitioner.

8. Accordingly, the application stands dismissed.

(Ramesh Chand Malviya, J)

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