

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54352 of 2024**

Arising Out of PS. Case No.-792 Year-2023 Thana- SIKARPUR District- West Champaran

Md. Salman @ Md. Alauddin @ Sheikh Salman Son Of Rafique Sheikh  
Resident Of Village - Dhumnagar Ward No. 04, Police Station - Shikarpur,  
District - West Champaran, At Present Chanki Garh Ward No. 12, Police  
Station - Shikarpur, District - West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sadrun Nesha Wife Of Rahim Sheikh Resident Of Village - Dhumnagar  
Ward No. 04, Police Station - Shikarpur, District - West Champaran

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate  
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      07-10-2024                      Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 376, 354(B) of the Indian Penal Code, Sections 4, 8, 18 of the Protection of Children from Sexual Offences Act and Sections 3 and 4 of the Prevention of Witch Practices Act.

3. As per prosecution case, while minor daughter of informant was grazing goat in the sugarcane field, in the meantime, this petitioner along with co-accused Munna Sheikh



took her to mango orchard and tried to commit rape.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. As a matter of fact, earlier informant has filed Shikarpur P. S. Case No. 250 of 2023 against petitioner and others in which they got bail and thereafter, wife of co-accused Munna Khan filed Shikarpur P. S. Case No. 387 of 2023 against informant and others and in retaliation, this false and concocted case has been lodged. Both parties are on litigating term since long and a series of litigation are pending between them.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge-VII-cum-Special Judge-POCSO, Bettiah, West Champaran in connection with Shikarpur P. S. Case No. 792 of 2023, subject to condition as laid down under Section 438(2) of



the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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