

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57889 of 2024

Arising Out of PS. Case No.-386 Year-2023 Thana- CHANPATIA District- West Champaran

Arman Ansari Son of Bismillah Ansari R/V- village- Lagunaha Kothi Ward
No. 12, P.S.- Chanpatiya, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rabaiya Khatoon Wife of Majbullah Ansari R/V- village- Lagunaha Kothi
Ward No. 12, P.S.- Chanpatiya, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv
For the Opposite Party/s : Mr. Binod Kumar, APP
Mr. Arjun Pd, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-11-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in connection with Chanpatiya P.S. Case No.386 of 2023, registered for the offence punishable under Sections 448, 341, 323, 354, 504 of the Indian Penal Code and Section 8, 12 of the POCSO Act and charge sheet has been submitted under Sections 341, 323, 354, 504/34 of the Indian Penal Code.

3. As per the FIR, petitioner is said to have assaulted the son and daughter of the informant. It is also alleged that earlier the petitioner used to tease the daughter of informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter case between the parties. It is further submitted that earlier the police submitted charge sheet u/s 341, 323, 354, 504/34 of the IPC but the learned Court below took cognizance against the petitioner under Sections 341, 323, 354, 504/34 of the IPC and Section 8 of the POCSO Act. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that there is direct allegation against the petitioner to tease the minor daughter of the informant.

6. Having regard to the facts and circumstances of the case as there is direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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