

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60798 of 2024

Arising Out of PS. Case No.-299 Year-2024 Thana- SIKARPUR District- West Champaran

Afroj Ansari Son of Imteyaj Ansari Resident of village- Bhantahwa pipra
Ward no-12 ,Ps- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tairun Khatun D/o- Shahnawaj Ansari@Shahanbaj Ansari Resident of
village- Bhantahwa pipra Ward no-12 ,Ps- Shikarpur, District- West
Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharad Kumar Verma, Adv.
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP. Mr. Ajeet Kumar Bhardwaj, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-11-2024 Heard learned counsel for the petitioner, learned A.P.P. for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in connection
with Shikarpur P.S. FIR No. 299 of 2024 registered for the
offences punishable under Sections 341, 323, 376(3), 504, 506,
34 of the Indian Penal Code and Section 4 of the Protection of
Children from Sexual Offences Act, 2012.

3. Allegedly, petitioner is said to have established
physical relation with the informant for four years on the pretext
of marriage and later on went back on his word. It is further
alleged that the father of the petitioner had also taken Rs.
1,15,000/- from the informant's parents on the pretext of



marriage.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. The real fact of the matter is that the informant wants to marry with the petitioner, but when the family members of the petitioner refused to do so, she filed this false case in order to create pressure for marriage upon the petitioner and his family members. It is further submitted that the informant is a major girl aged about 19 years, hence the provisions of Section 4 of the POCSO Act is not applicable to the present case. Learned counsel further submits that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail. Learned counsel for the informant submits that there is direct allegation against the petitioner to have established physical relation with the informant for the past four years on the pretext of marriage when she was a minor and this fact is also evident from the age



of the informant mentioned in the FIR.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

divyanshi/-

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

