

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2495 of 2025

Arising Out of PS. Case No.-206 Year-2024 Thana- PASRAHA District- Khagaria

Ashish Kumar Son of Bablu Kumar @ Bablu Mandal Resident of Village -
Teliya Bathan, P.S - Pasraha, District - Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabnam Kumari Daughter of Dasarath Mandal Resident of Village - Teliya
Bathan, P.S - Pasraha, District - Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-05-2025 Heard Learned counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection
with Pasraha P.S. Case No. 206 of 2024 lodged on 14.08.2024,
for the offence punishable under Sections 74, 126(2), 115(2) &
3(5) of the Bharatiya Nyaya Sanhita, 2023 read with section 27
of the Arms Act and sections 8 & 12 of the POCSO Act.

3. As per the prosecution, FIR has been lodged against
five named accused persons including the present petitioner. The
specific allegation in the FIR is against the petitioner and one
Saurabh Kumar who tried to outrage the modesty of the



informant and her friend. It has also been alleged in the FIR that when informant opposes, then the petitioner fired gun shot in the air to scare the informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that prior to filing of this case, petitioner has lodged a criminal case against the informant's brother and only to save her brother, the present case has been lodged. Counsel submits that petitioner is a student aged about 18 years. Counsel further submits that the criminal antecedent of the petitioner is not clean as there is one case pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is specific allegation in the FIR against the petitioner and one Saurabh Kumar who tried to outrage the modesty of the informant and her friend who are minors and aged about 14 years. Counsel also submits that the criminal antecedent of the petitioner is not clean and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if petitioner surrenders before the Trial



Court within a period of six weeks from today, then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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