

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4189 of 2025

Arising Out of PS. Case No.-294 Year-2024 Thana- JANKINAGAR District- Purnia

1. Md. Imamul Son of Md. Iliyas Resident of Village- Binoba Gram, P.S.- Jankinagar, Distt.- Purnea
2. Md. Anwar Son of Md. Najam Resident of Village- Binoba Gram, P.S.- Jankinagar, Distt.- Purnea
3. Md. Perwej Son of Md. Najam Resident of Village- Binoba Gram, P.S.- Jankinagar, Distt.- Purnea
4. Md. Rahman Son of Naimuddin Resident of Village- Binoba Gram, P.S.- Jankinagar, Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranju Devi Wife of Resham Lal Sharma @ Kanahaiya Resident of Ithari, Ward No. 11, P.S.- Jankinagar, Distt.- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Dr. Bidhu Ranjan, Advocate Ms. Diksha Kumari, Advocate
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Jankinagar P.S. Case No. 294 of 2024, dated 09.08.2024, registered for the offences punishable under Sections 64, 62 and 76 of the B.N.S., 2023, Sections 7 and 8 of Protection of Children from Sexual Offences Act and Sections 3(i)(r) (s) of SC/ST (Prevention of Atrocities) Act.

3. As per allegation, accused-petitioners Md. Imamul



and Md. Anwar forcibly attempted to commit rape upon two victim girls belonging to scheduled castes community and thereafter, accused-petitioners viz., Md. Perwez and Md. Rahman also came in support of aforesaid two co-accused and abused the informant with reference to caste.

4. Learned counsel for the Petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He also refers to a joint petition filed by the informant and the accused persons in the Court of Special Judge, POCSO, Purnia to the effect that case has been lodged by the informant on account of misconception of fact and the informant does not want to pursue the case.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the statement of the informant filed by way of joint petition in the Court of Special Judge, POCSO, **this petition is allowed**, directing the petitioners, above-named, to



be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Jankinagar P.S. Case No. 294 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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