

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2996 of 2025

Arising Out of PS. Case No.-326 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Md. Sarfaraj @ Parle G S/o Subhan Miya @ Subhan Miyan R/o Mohalla -
Mirchaiya Tola, Daulatganj, P.S. - Bhagwan Bazar, Distt.- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXX D/o Ritesh Pandey R/o Mohalla - Mirchaiya Tola, Daulatganj, P.S. -
Bhagwan Bazar, Distt.- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Harshvardhan, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 15-02-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Bhagwan Bazar Police Station Case No. 326 of
2024, disclosing offences under Sections 354(A) of the Indian
Penal Code and under Sections 8 and 12 of the POCSO Act.

3. As per the prosecution story, on 25.06.2024, the
informant aged about thirteen years, was sitting with her
handicapped brother and no other family members were there at
the downstairs. At about 8.00 P.M in the night, the informant's
neighbor, namely Parle-G i.e., the petitioner, entered into the
house of the informant and tried to commit rape upon her. He



pressed face, lips and private parts of the informant and tried to open her clothes and when informant made the noise, he fled away.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to the fact that a sum of Rs. 50,000/- was taken by the petitioner from the grandfather of the informant which he was not in a position to return and accordingly, the false F.I.R. has been lodged.

5. I have heard the learned counsel for the parties and have perused the material on record. The thirteen years old minor girl has alleged that petitioner, after entering into her home, has sexually assaulted her while she was alone with her handicapped brother downstairs and the victim has supported the prosecution case in her statement under Section 164 of the Cr.P.C, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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