

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8270 of 2025

Arising Out of PS. Case No.-191 Year-2024 Thana- BAGHA District- West Champaran

MULAYAM SHEIKH @ MD. TABREJ S/O SHEKH NASRULLAH R/o vill
- Bhataura, P.S. - Bagha, Distt.- West Champaran, Bihar

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Sheikh Sudin S/o Late Sheikh Yunis R/o vill - Bhatora, ward no. 8, P.s. - Bagha, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-02-2025 Heard learned counsel for the petitioner and the

State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 74 and 3(5) of the BNS
2023 read with Section 8 and 12 of the POCSO Act.

3 . As per the prosecution case , on the alleged date
and time of occurrence , when granddaughter of informant wnet
to sugarcane field, in the meantime this petitioner along with



other co-accused persons came and there and one of the co-accused caught hold of her. It is further alleged that co-accused Arshad Khan pressed her mouth and touched her inappropriately and when victim raised alarm, all the accused persons fled away from the spot.

4. Learned counsel for the petitioner submits that from bare perusal of F.I.R. it is apparent that specific accusation is against co-accused Arshad Khan who assaulted and touched the victim. So far as this petitioner is concerned, he is only alleged to be present at the place of occurrence and there is no allegation of any overt act against this petitioner. Petitioner claims clean antecedent. Similarly situated co-accused person has already granted bail by this Court vide order dated 16.01.2025 in Cr. Misc. No. 71358 of 2024 .

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Session



Judge 7th cum- Special Judge POCSO Court West Champaran
Bettiah in connection with Bagaha P.S. case No. 191 of
2024 , subject to the conditions laid down under section 482
(2) of BNSS 2023 .

(Prabhat Kumar Singh, J)

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