

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6725 of 2025

Arising Out of PS. Case No.-480 Year-2024 Thana- WARISLIGANJ District- Nawada

Ram Bilash Kumar Son of Indradev Yadav Resident Of Village- Badhanpur
Ps -Warisaliganj District -Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asha Devi Wife of Navin Kumar village- Dhankol, Po- Manjour, Ps- Warisliganj, Dist- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad
For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-03-2025 1. 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 Warisaliganj Police Station Case No. 480 of 2024,
disclosing offences under Sections 74 of the BNS, 2023 and Act
8 of the POCSO Act.

3. As per the FIR, the informant along with her
minor daughter went to attend the nature's call in the open. In
the meantime, one person came on the motorcycle and arrived
there and caught hold the minor daughter of the informant and
forced her to sit on the motorcycle and when the informant and
her daughter raised alarm, the villagers arrived, thereafter,



petitioner fled away leaving the motorcycle on the spot which has been seized by the police. The age of the victim girl is said to be about 12 years.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and has no criminal antecedent. He further submits that while the petitioner was coming from the market in the evening, by mistake he dashed the daughter of the informant due to which the present FIR has been lodged.

5. I have heard learned counsel for the parties and have perused the materials available on record including the impugned order. From the allegation made in the FIR, it appears that petitioner forced the minor daughter of the informant to sit on his motorcycle and also pulled her with her hair. Upon alarm being raised, petitioner fled away from the place of occurrence leaving the motorcycle on the spot which was recovered by the police. From the impugned order, it appears that the informant and her daughter including the villagers have supported the prosecution story. The statement of the victim girl under Section 164 of the Cr.P.C. was also recorded in which she has supported the prosecution story. Considering the nature of allegation, I am not inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, rejected.

7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit without being prejudiced that anticipatory bail of the petitioner has been rejected by this Court.

(Anil Kumar Sinha, J)

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