

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11289 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- MOHANPUR District- Gaya

Buttan Mian @ Md. Minhaj S/O Late Md. Ramzan Mian Resident of Village-
Dangra, P.S - Mohanpur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rabia Gulnaz, Advocate

For the Opposite Party/s : Ms.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 27-03-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Mohanpur PS case no. 325 of 2024 dated
12.11.2024, disclosing offences punishable under Sections
126(2) and other sections of of B.N.S. Act, Sections 8 and 12
of POCSO Act and Sections 3(i)(r)(s)(w)(i) and 3(2)(va) of
SC/ST (POA) Act.
3. The prosecution story, as per the First
Information Report, is that on 12.11.2024 in the afternoon,
when the informant was at grazing field and her cattle was
grazing, two unknown boys arrived, abused her and with bad



intention, started scuffle with the informant and started pulling the informant towards jungle. When the informant raised alarm, villagers arrived there along with informant's father and upon seeing them, accused persons fled away, however one of the person was identified by the informant as Buttan Mian i.e. the petitioner herein.

4. Learned Counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to land dispute. Though the informant has disclosed her age as 17 years in the F.I.R. but she is not minor and her age is more than 18 years. Learned counsel further submits that petitioner is not having any criminal antecedent and there is no specific allegation that the petitioner with sexual intent, abused and entered into scuffle with the informant. She also submits that from perusal of the First Information Report, *prima facie* no offence under Section SC/ST Act is made out, inasmuch as there is no allegation that the petitioner has humiliated the informant due to her social status. The matter has been compromised by the parties.

5. I have heard learned counsel for the parties and perused the F.I.R. as well as impugned order. The victim is



minor and has specifically alleged that petitioner caught her and dragged her to jungle with sexual intent. Police after investigation, has found the case true against the petitioner, as such considering the nature of allegation and gravity of offence, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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