

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24057 of 2025

Arising Out of PS. Case No.-7 Year-2018 Thana- MAHILA P.S. District- Araria

Jabir @ Jakir @ Md. Jakir @ Md. Jabir Son of Late Kasinat Resident of village - Rampur, Ward No.- 03, Referral Hospital, P.S.- Forbesganj, Dist.- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tinku Khanna Son of Resident of Apne-Aap Word Wife, Forbesganj, P.S.- Forbesganj, Dist.- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Ms.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-04-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 370 of the IPC and Section 4 of POCSO Act and Section 3, 4, 5 of Immoral Traffic (Prevention) Act.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that during the course of investigation, the statement of the victims was recorded under Section 164 Cr.P.C, wherein the victim has not whispered anything against the petitioner. It is further submitted that



police, after threadbare investigation, came to a considered conclusion that the petitioner is innocent and submitted Final Form No. 3423 dated 3-04-2023 exonerating the petitioner of the allegations as alleged in the FIR. It is also submitted that the learned trial court differing with the police report took cognizance by an order dated 20-5-2023, thus petitioner apprehends his arrests. The learned counsel thus submits that when one investigating agency, after threadbare investigation, came to a considered conclusion that the petitioner is innocent, whether it would be prudent for this court to send the petitioner to jail based on an order of cognizance taken based on the same police report which exonerated the petitioner of the allegations.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahila P.S. Case



No. 7 of 2018, subject to the conditions as laid down under
Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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