

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21112 of 2025

Arising Out of PS. Case No.-386 Year-2023 Thana- CHANPATIA District- West Champaran

Arman Ansari S/o Bismillah Ansari, Resident of Village- Lagunaha PS-
Chanpatia, Bettiah, Dist.- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Rabeya Khatoon W/O Majbullah Ansari Resident of Village- Lagunaha
Kothi, PS- Chanpatia, Bettiah, Dist.- West Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Ms. Preeti Kumari, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Chanpatia P.S. Case No. 386 of 2023, registered for the offences punishable under Sections 448, 341, 323, 354 and 504 of the Indian Penal Code and under Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the petitioner assaulted the daughter and the son of the informant with *lathi* causing fracture of the head of the daughter of the informant who became unconscious. When the informant intervened, she was also assaulted and son of the informant also received injury



on head in this assault. Further allegation against the petitioner is that he earlier teased the daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. No occurrence as alleged has ever taken place. The FIR has been lodged after delay of one day without any explanation for the delay. He further submits that chargesheet in this case has been submitted under Sections 341, 323, 354 and 504 read with Section 34 of the Indian Penal Code and no chargesheet has been submitted under Sections 8 and 12 of the POCSO Act, which was initially mentioned in the FIR. He further submits that the injury report of the victim shows simple injury caused by hard and blunt object and though the injuries are on head, their size is small and injuries appear to be superficial. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 04.01.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that there is specific allegation against the petitioner that he assaulted the minor daughter and son of the informant.



The statement of the victim girl was recorded by the Police where she states that the petitioner used to tease her and when complaint was made to his father, he assaulted the daughter and son of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the superficial and non-serious nature of injuries, period of custody of the petitioner, the submission of chargesheet and also considering his clean antecedent, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VI-cum-Spl. Judge POCSO, Bettiah, West Champaran / concerned Court, in connection with **Chanpatia P.S. Case No. 386 of 2023**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.



(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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