

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27985 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- CHAINPUR District- Kaimur (Bhabua)

Shamim Rayin @ Md. Shameem Rayeen S/O Nathuni Rayeen @ Nathuni
Rain Resident of Village - Chainpur, P.S. - Chainpur, District - Kaimur
(Bhabua)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chanda Begum W/O Naushad Khalifa Resident of Village - Mirja Mohalla,
P.S. - Chainpur, District - Kaimur (Bhabua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Kumar Sunil, Advocate
For the Opposite Party/s : Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State .

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 126(2), 115(2), 76,
329(3), 352, 351(2), 3(5) of BNS, 2023 and Sections 8 and 12 of
POCSO Act.

3. The prosecution story in brief is that informant
Chanda Devi made a written complaint that on 31.12.2024, co-
villager Shahnawaz Rayin entered into her house and molested
her minor daughter and torn her clothes. It is further alleged that
when she went to Shahnawaz house, the petitioner along with
him abused and assaulted the informant.



4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case, it is next submitted that petitioner is a person with clean antecedent, it is submitted that although the petitioner is named in the FIR but from perusal of the same, it is clearly evident that there is absolutely no allegation against the petitioner with respect to committing of any offence against the victim. Learned counsel for the petitioner submits that there is a delay of one day in lodging the FIR without assigning any reasonable explanation. Learned counsel for the petitioner further emphasized that the statement of the victim under Section 180 and Section 183 of BNSS was also recorded where the victim has not taken the name of the petitioner nor whispered anything against him. Learned counsel for the petitioner further submits that the statement of the victim given before the police and before the Magistrate are inconsistent and contradictory and did not corroborate with each other.

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

6. Considering the fact that petitioner has no criminal antecedent and also the fact that petitioner is not directly accused of trying to outrage the modesty of the daughter of the



informant in the FIR and also that the thrust of the case is against Shahnawaz Rayin.

7. Accordingly, the petitioner in the event of his arrest or surrender within four weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court of learned Special Judge, POCSO Act-cum-ADJ-VI, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 01 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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