

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36566 of 2025

Arising Out of PS. Case No.-146 Year-2025 Thana- SULTANGANJ District- Patna

Md. Aashif @ Aashif, aged about 22 years, Male, S/o- Md. Tanveer Khan,
Resident of Khan Mirza, Baksariya Tola, Banglappar, P.S.- Sultanganj,
District- Patna

... .. Petitioner

Versus

1. The State of Bihar
2. Khushaboo Praveen, W/o- Md. Aatik, R/o- Shahganj Sakil Hotel, P.S.-
Sultanganj Dist- Patna

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Raj Krishna Jha, Advocate
For the State	:	Mr. Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 19-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Special
(POCSO) Case No. 112 of 2025, arising out of Sultanganj P.S.
Case No. 146 of 2025 dated 06.04.2025 registered for the
offences punishable under Sections 76 read with Section 3(5) of
the B.N.S., 2023 and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, on 05.04.2025 at about
9.00 P.M., the informant along with her family members went to
the hospital and she left her minor sister in her house for
preparing meal. In the meantime, the brother-in-law (Bhaisur) of
the informant, namely, Md. Wasim, brought his friends Arshad



and Aashif (petitioner) to the house of the informant and showed them her house and thereafter they went away. It is further alleged that after some time, they came to the house of the informant and started outraging the modesty of the minor sister of the informant finding her alone and when she cried, they fled away from there.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the informant is not an eye witness to the alleged offence. It is further submitted that the alleged occurrence took place on 05.04.2025 at about 9.00 P.M., as to when the F.I.R. has been lodged on 06.04.2025 at about 3.30 P.M., whereas police station is about 1 K.M. from the alleged place of occurrence and for the delay in lodging the F.I.R. no explanation has been given by the prosecution. It is further submitted that the real fact is that the petitioner came with Md. Arshad who is the friend of the brother-in-law (Bhaisur) of the informant, namely, Md. Wasim, for giving Invitation Card of the marriage of the relative of Md. Arshad and at that time, Md. Wasim was present in his house and the Marriage Card was only in the name of Md. Wasim and no invitation was given to the husband of the informant and question was raised by her sister



and upon this, a hot discussion took place between Md. Arsahd and the petitioner favoured Arshad and they went away and due to the aforesaid reason, the present false case has been lodged by the informant against the petitioner. The charge sheet has already been submitted. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 07.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIIth-cum-Special Judge, POCSO, Patna in connection with Special (POCSO) Case No. 112 of 2025, arising out of Sultanganj P.S. Case No. 146 of 2025.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

