

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37132 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- SIKARPUR District- West Champaran

Dhuil Paswan @ Shankar Paswan @ Jaishankar Paswan S/O Bhukhal Paswan
R/O Village- Malda, P.S- Shikarpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sursati Devi @ Saraswati Kumari W/O Dharmdev Yadav R/O Village-
Malda, P.S- Shikarpur, Distt.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Shikarpur P.S Case No. 96 of 2025 dated 23.01.2025 registered for the offence punishable u/ss 65(2) and 62 of the B.N.S. and Sections 8, 12 and 18 of the POCSO Act.

3. As per the prosecution case, on 23.01.2025, the informant's husband along with his daughter went to the field then the petitioner took her daughter to the Sugar Cane field and tried to do wrong with her. When the informant went to the sugarcane field then she saw that the petitioner is misbehaving



with her daughter. On seeing the informant, the petitioner fled away from the spot.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that both the parties belonged to the same village and they are next door neighbours and the petitioner has been made accused in this case due to land dispute. It is further submitted that as per the F.I.R., the informant's husband along with her daughter went to the field and while she was returning then the petitioner tried to do wrong on her but from perusal of the impugned order, it is evident that the victim has stated in her statement recorded u/s 183 of the B.N.S.S. that when she was going to ask money with her father then the petitioner tried to commit wrong with her and hence this contradiction of the statements which creates doubt upon the prosecution case. Learned counsel has further submitted that the compromise has taken place between the parties and the compromise petition has been kept on the record with the bail petition. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, West Champaran at Bettiah, in connection with Shikarpur P.S Case No. 96 of 2025, subject to conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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