

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40312 of 2025

Arising Out of PS. Case No.-543 Year-2024 Thana- KHAGARIA District- Khagaria

Navin Sahni S/o Late Jhaksu Sahni R/o Village- Kamalpur, Gachhi Tola,
Ward no. 08, P.S-Khgaria, District-Khgaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amla Devi W/o Rajesh Mahton @ Rajesh Mahto R/o Village- Kamalpur,
Gachhi Tola, Ward no. 08, P.S-Khgaria, District-Khgaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh
For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-07-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Khagaria Police Station Case No. 543 of 2024,
disclosing offences under Sections 76, 333 of the BNS, 2023
and Section 12 of the POCSO Act.
3. As per the prosecution case, on 10.11.2024 at
9.00 pm in the absence of the informant, petitioner came to her
house and with the intention of raping the informant's 14 year
old daughter, forcibly started molesting her by tearing her
clothes. When the girl raised alarm, petitioner fled away.
4. Learned Counsel for the petitioner submits that



the petitioner has falsely been implicated in the present case due to village politics. The F.I.R. was filed four days after the alleged incident on 10.11.2024, without any explanation for the delay. The informant is not an eyewitness, and the witnesses cited during investigation are hearsay. The victim, Mausam Kumari, gave conflicting statements under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, raising doubts about the prosecution's case.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having two criminal antecedents and there is specific allegation against the petitioner that he entered the informant's house with an intention to rape informant's minor daughter and forcibly molested the informant's daughter, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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