

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49783 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- MAJHAULIA District- West Champaran

Shekh Nepali @ Sheikh Nepali S/O Shekh Khurshed @ Shekh Khurshed
Alam R/O Village- Madhopur, P.S- Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. XXXXX S/O Late Sheikh Muslim R/O Village- Ward No. 07, Sheikh Toli,
Madhopur, P.S- Majhauria, Distt.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 04-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 447, 341, 323, 325, 307, 354B and 504/34 of the Indian Penal Code as well as Section 8 of the POCSO Act.

3. The case of the prosecution is that the petitioner along with others have click the photos and videos of the victim and abused her, On being objected to, she was allegedly assaulted. On 24.04.2024 at about 7 :00 P.M. all the four accused persons, including the petitioner, entered into the house of the informant started abusing her and when she raised alarm,



they started assaulting her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that during the course of investigation victim has given her statement under Section 180 and 183 of the BNSS. In her statement under Section 180 and 183 of the BNSS, she has stated that on 24.04.2024 when she had gone to ease herself, this petitioner started making her video. However, from a perusal of the FIR, it is clear that the allegation is that on 24.04.2024 all the accused persons including the petitioner entered into the house of the informant and started abusing and assaulting her. It is further submitted that in her statement before the police and the Magistrate, she has made specific allegation against this petitioner whereas in the FIR, the nature of allegation is general and omnibus. Moreover, the petitioner is languishing in judicial custody since 04.08.2024.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on



bail in connection with Majhaulia P.S. Case No. 291 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO cum Additional District Judge – VI, West Champaran, Bettiah.

(Ashok Kumar Pandey, J)

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