

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58628 of 2024

Arising Out of PS. Case No.-191 Year-2023 Thana- BELA District- Sitamarhi

Aslam Sheikh @ Aslam S/o- Basir Sheikh Village- Parsa Ps- Bela Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aayesha Khatoon W/o- Md. Mubaseer Village- Parsa, W.No-2, Ps- Bela Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 10-01-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 376, 354(B), 511/34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act.

3. As per prosecution case, on 29.07.2023, informant along with her 3-year old daughter went to the Taziya Procession and upon returning, informant sent her daughter home with this petitioner on motorcycle. Later on, informant found that this petitioner had taken her daughter to a bamboo clump and removed her pants with an intention to commit rape and when she started crying, this petitioner dropped the minor



daughter of informant at her house and fled away.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to ulterior motive. As a matter of fact, husband of the informant is involved in illegal trade of liquor and he was sent to jail several times upon information of this petitioner. He further submits that police found instant case to be false and submitted final form against the petitioner but differing with the same, learned court below took cognizance against the petitioner. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the fact that police submitted final form against the petitioner and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum-Special Judge (POCSO Act), Sitamarhi in connection with Bela P. S. Case No. 191 of 2023, subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

