

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59873 of 2025

Arising Out of PS. Case No.-288 Year-2022 Thana- AURAI District- Muzaffarpur

Sanjay Sah @ Sanjay Kumar Sah S/o Chhedi Sah R/o Village -Ghanshyampur
Beshi, P.S - Aurai, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o Late Kishori Sah R/o Village - Aurai, P.S - Aurai, District - Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrs.Vaishnavi Singh, Advocate
For the Opposite Party/s :	Mr.Ram Bilash Roy Raman, APP
	Mr. Abhishek Kumar, Adv.for Informant

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no. 2.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 448, 341, 354A of the Indian Penal Code and Section 8 / 12 of POCSO Act.

3. Allegation against the petitioner is that he claimed himself to be exorcist and induced her to come inside the room with some articles and on the pretext of black magic started to suck her lips and private parts and also attempted to commit rape.

4. Learned counsel for the petitioner submits that



petitioner is quite innocent, committed no offence and no such occurrence, as alleged in the F.I.R. has taken place and in order to pressure this petitioner not to pursue the complaint case lodged by him, which is earlier in point of time, this false case has been lodged. Petitioner has been victimized in this case due to dirty village politics and previous enmity. In fact, there was dispute between petitioner and maternal grand father of victim and this petitioner lodged a complaint, vide Complaint Case No. 4248 of 2022, against prosecution party. He further submits that there is delay of 22 days in lodging the present case without there being any plausible explanation of delay. The police, after investigation, submitted final form against this petitioner, however differing with the same, the learned Magistrate took cognizance. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for opposite party no. 2 opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner 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 learned District and Additional Sessions Judge 6th



cum Special Judge, POCSO-1, Muzaffarpur in connection with
Aurai P.S. Case No. 288 of 2022, subject to condition as laid
down under Section 438(2) of the Cr.P.C. / Section 482(2) of the
B.N.S.S.

(Prabhat Kumar Singh, J)

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