

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59317 of 2024

Arising Out of PS. Case No.-834 Year-2023 Thana- PURNEA SADAR District- Purnia

Md. Saheb Son of Md. Imani R/V- Village- Chhatiya, P.S.- Sadar (Muffasil),
Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kitab Ali Son of Md. Saful R/V- Village- Chhatiya, P.S.- Sadar (Muffasil),
Distt.- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Amit Kumar Anand, Advocate
For the State	:	Mr. Narendra Kumar Singh, APP
For Opposite Party No.2	:	Mr. Viveka Nandsingh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 354B, 323, 504 and 506 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. As per prosecution case it is alleged that this petitioner used to harass minor daughter of informant while she used to go to coaching classes. It is alleged that on 20.09.2023 at about 8 PM, while daughter of informant was returning from house of her aunt and reached near bamboo bari, this petitioner caught her and tried to commit rape.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Petitioner claims clean antecedent.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the informant above vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. and there is specific and direct accusation against this petitioner. It is further submitted that the victim in her statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case. The learned trial court has assessed the age of victim as 14 years.

6. Considering the aforesaid facts and circumstances, nature of accusation, statement of the victim recorded under Section 164 of the Cr.P.C. and the fact that the victim is a minor, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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