

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62121 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- GOPALPUR District- West Champaran

Appu Dubey @ Anshu Dubey @ Anshu Kumar Dubey S/o Late Paras Dubey
R/o vill - Dakshin Ghogha, Ward No. 5, PS- Gopalpur, District- West
champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/o Kishori Das R/o vill - Dakshin Ghogha, ward no. 5, P.S. - Gopalpur,
Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP
For Opposite Party No.2	:	Mr. Sitesh Kashyap, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-04-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126, 115(2), 74,75, 76 and 351(2) of the B.N.S. and Sections 8 and 12 of the POCSO Act.

3. The prosecution case, in brief, is that on 07.07.2024 at about 6 PM, this petitioner had taken away minor daughter of informant for cutting Banana leaves by persuading her where it is alleged that he misbehaved and molested her by giving teeth bites on different parts.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has



committed no offence. No such occurrence, as alleged in the F.I.R. has even taken place and allegations levelled in the F.I.R. are patently false and have no substance. As a matter of fact, petitioner is a married man aged about 40 years and has children. Informant is second wife of her husband and used to reside with her two daughters and husband as neighbors of this petitioner and had taken a loan of Rs. 10,000/- from this petitioner on the pretext of meeting business expenses with an assurance to return the same in June, 2024 and when the petitioner started demanding his money back, this false and concocted case has been lodged. It is further submitted that during investigation, the so-called victim has refused for medical examination, which itself creates doubt on the prosecution case. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender 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 Additional District and Sessions Judge 6th-cum-Special Judge, POCSO, Bettiah, West Champaran in connection with Gopalpur P.S. Case No. 101 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

shashank/-

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

