

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74848 of 2024

Arising Out of PS. Case No.-303 Year-2024 Thana- BAKHTIYARPUR District- Patna

Md. Imran @ Bhoku S/o Md. Ishrail @ Md. Israeel R/o- Champapur, P.O.
and P.S. Bakhtiyarpur, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Samay Noor Daughter of Md. Faiyaz Resident of Village- Champapur, P.S -
Bakhtiyarpur, Dist- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2025 Heard Mr. Sudhir Kumar Singh, learned counsel for

the petitioner and Mr. Uma Shankar Prasad Singh, learned APP

for the State.

2. The petitioner is apprehending his arrest connection
with Special Case No. 140 of 2024 arising out of Bakhtiyarpur
P.S. Case No. 303 of 2024, F.I.R. dated 02.06.2024 registered
for the offences punishable under Sections 341, 323, 354, 379,
354D, 354A of the Indian Penal Code and Sections 8/12 of the
POCSO Act.

3. Allegation against the petitioner is that on
30.05.2024 at about 08.00 P.M. in the night when the informant,
a minor girl aged about 16 years, was going to her Mause's



house situated in Champapur from her house then in the way near a Urdu Middle School, Champapur, petitioner forcibly stopped her and when she protested then he started assaulting and teasing her and also caught hold her hand. The informant raised alarm on which local people started assembling there then the petitioner after snatching mobile from the hand of the informant and pushing her and fled away.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

5. Learned APP for the State, on the other hand, on the basis of material available on record and case diary, vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the victim in her statement recorded under Section 161 of the Cr. P.C./Section 180 of BNSS, 2023 in which she has categorically stated that the petitioner has uploaded the photograph of the victim on *Instagram* and the same was confirmed by the Investigating Officer in paragraph no. 108 of the case diary and apart from that the victim has categorically stated in her statement recorded under Section 161



of the Cr. P.C./Section 180 of BNSS, 2023 that the petitioner has also pursued her to make physical relation with him and apart from that he has uploaded the edited video on the Instagram.

6. Considering the aforesaid facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Special Case No. 140 of 2024 arising out of Bakhtiyarpur P.S. Case No. 303 of 2024 pending in the Court of learned Additional Sessions Judge-VI-cum-Exclusive Special Judge, POCSO, Patna

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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