

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76956 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- TARIYANI CHAPRA PS District-
Sheohar

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Kanhai Sah @ Radhe Shyam Kumar S/O Jahannu Sah Resident of Village-
Chamanpur, Police Station- Sheohar, Distt.- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dileep Mahto S/O Jailal Mahto R/O Village- Ganga Dharampur, P.S-
Tariyani Chapra, Distt.- Sheohar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ayush Kumar, Advocate
For the Opposite Party/s	:	Mr.Abhay Kumar Roy, APP
For the Informant	:	Mr. Uday Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 16-04-2025 Heard Mr.Ayush Kumar, learned counsel for the

petitioner, Mr. Uday Kumar, learned counsel for the opposite

party No.2 and Mr.Abhay Kumar Roy, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Tariyani Chapra P.S. Case No.62 of 2024, dated
09.08.2024 registered for the offences punishable under
Sections 329(4)/76/78/79/351(2)/352/3(5) of the Bhartiya
Nyaya Sanhita (B.N.S.) 2023 and later on Sections 8/10 of
POCSO Act has been added.

3. Allegation against the petitioner is that he
alongwith co-accused person, namely, Varun Sah entered into



the house of the of the informant and outrage the modesty of the daughter of the informant. When she resisted, petitioner and co-accused person, namely, Varun Sah threatened her and petitioner forcibly took her objectionable videos and pictures and torn her clothe. Now they are blackmailing the victim girl to marry otherwise they will viral the photo and video of the girl.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and apart from that, it appears from the FIR itself that the date of occurrence as alleged in the FIR is 03.08.2024 but the present FIR has been instituted on 09.08.2024 after delay of six days without giving any explanation of delay.

5. Learned counsel for opposite party No.2 and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the statement of the victim was recorded under Section 164 Cr.P.C./ Section 183 of BNSS, 2023 in which she has supported the case of the prosecution and apart from that, she has categorically stated that the petitioner has torn her



clothe.

6. Considering the aforesaid facts and nature of allegation as alleged in the FIR, I am not inclined to grant privilege of anticipatory bail to the petitioner in connection with Tariyani Chapra P.S. Case No.62 of 2024 pending in the court of learned Additional District and Sessions Judge 1st cum-Special Judge, POCSO, Sheohar.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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