

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84370 of 2024

Arising Out of PS. Case No.-792 Year-2023 Thana- SIKARPUR District- West Champaran

Munna shaikh @ Md. Munna S/O Kalam Shaikh @ Kalam Mohammad @
Mohammad Kalam R/O Village- Dhumnagar, P.S- Sikarpur, Distt.- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and the
State .

2. The petitioners pray for grant of regular bail in a case registered for the offence punishable under Sections 376, 354(B) of the Indian Penal Code, Sections 4, 8, 18 of the Protection of Children from Sexual Offences Act and Sections 3 and 4 of the Prevention of Witch Practices Act.

3 . As per the prosecution case , while minor daughter of informant was grazing goat in the sugarcane field, in the



meantime, this petitioner along with other co-accused persons took her to mango orchard and tried to commit rape .

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. As a matter of fact, cousin of petitioner filed Shikarpur P. S. Case No. 387 of 2023 against informant and others and in retaliation, this false and concocted case has been lodged. Both parties are on litigating term since long and a series of litigation are pending between them. Petitioner is in custody since 02.04.2024 . Chargesheet has already been submitted. Similarly situated co-accused Md. Salman having similar and identical allegation has already granted bail by this Court vide order dated 07.10.2024 in Cr. Misc. No. 54352 of 2024 .

5 . Learned counsel for the State opposed the prayer for bail.

6. Considering the fact that co-accused Md. Salman having similar and identical allegation has already granted bail by this Court, period of custody of petitioner and other circumstances of the case , prayer for bail of the petitioner is allowed.

7. Let the petitioner, as named above, 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 & Sessions Judge-VII-cum-Special
Judge-POCSO, Bettiah, West Champaran in connection with
Shikarpur P. S. Case No. 792 of 2023 .

(Prabhat Kumar Singh, J)

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