

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80471 of 2025

Arising Out of PS. Case No.-498 Year-2019 Thana- MAJHAULIA District- West Champaran

Afazal Miyan @ Afazal Ansari @ Afzal S/O Samid Miya @ Samid Ansari
Resident of Vill- Barwa, P.S.- Majhauria, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/O Late Sahdeo Ram Resident of village - Bathana, Ward No. 06, P.S Majhauria, District - West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 366A and 34 of the IPC. However, the police has found the occurrence to be true under Sections 366A and 376 of the IPC and under Section 4/6 of the POCSO Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his minor daughter aged about 14 years on 16.05.2019 at 04:00 A.M. went to attend the call of nature but did not return, on search a photograph of a boy was found on



her bed and on inquiry it transpired that name of the boy is Shabbir Raja, who enticed her away.

4. Learned counsel for the petitioner submits that petitioner being distantly related to Shabir Raja came to be implicated in the instant case by the informant. It is next submitted that Rabeya Khatoon and Shabbir Raja had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 55104 of 2024 and the same was allowed by an order dated 17.12.2024 by the learned Co-ordinate Bench. It is next submitted that Shabbir Raja has been granted the privilege of anticipatory bail as such the case of the petitioner is on a better footing.

5. Learned A.P.P. for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Majhaulia P.S.



Case No. 498 of 2019 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

AjayMishra/-

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