

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.244 of 2025

Arising Out of PS. Case No.-299 Year-2024 Thana- SIKARPUR District- West Champaran

Afroj Ansari S/O Imteyaz Ansari R/O Village- Bathnahawa, Ward No.- 12,
P.S- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. X Imaginary Name D/O Shahnawaz Ansari R/O Village- Bathnahawa, Ward No.- 12, P.S- Shikarpur, District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-03-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 376(3), 504, 506, 34 of the Indian Penal Code and under Section 4 of POCSO Act.

3. As per the prosecution case, petitioner is said to have established physical relation with the informant for four years on the pretext of marriage and later on went back on his word. It is further alleged that the father of the petitioner had also taken Rs.1,15,000/- from the informant's parents on the pretext of marriage.



4. Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the real fact of the matter is that the informant wants to marry the petitioner, but when the family members of the petitioner refused to do so, she filed this false case in order to create pressure for marriage upon the petitioner and his family members. He further submits that the informant is a major girl aged about 19 years, hence the provisions of Section 4 of the POCSO Act is not applicable to the present case. The petitioner has no criminal antecedent and has been languishing in custody since 05.12.2024.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts aforesaid and the fact that the informant is major, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Shikarpur P.S. Case No.299 of 2024, subject to the further



condition that petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned Trial Court.

(Anjani Kumar Sharan, J)

anand/-

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