

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4947 of 2025

Arising Out of PS. Case No.-450 Year-2021 Thana- BIDUPUR District- Vaishali

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Bishwa Nath Rai S/O Ramdeo Rai R/O vill.- Sahdullah pur Chak Farrid, P.S-
Bidupur, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gyanendra Kr Shukla, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit,APP

Mr.Pramod Ban Bihar Singh, Adv.for Informant

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-02-2025 Heard learned counsel for the petitioner, Mr.

Umeshanand Pandit, learned A.P.P. for the State and learned

counsel for the informant.

2. The petitioner apprehends his arrest in a case
registered for the offence under Section 376/511 of the Indian
Penal Code and Section 8 of the POCSO Act.

3. As per the prosecution case, on 10.09.2021 at about
2:00 PM, the daughter of informant aged about 4 years
alongwith four other girls came from Anganbari centre and
complained that this petitioner invited her (informant's
daughter) inside the house and touched her inappropriately. It is
further alleged that when informant went to complain, this
petitioner denied and tried to assault her.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case due to village politics. As a matter of fact, wife of petitioner was elected as Anganbari Sevika in the year 2004 and since then, Anganbari centre is running in the premises of petitioner and at no point of time, any single complaint was ever lodged against this petitioner. The present case has been filed only with a view to settle personal matter. Police after thorough investigation found the case false. Learned counsel further submits that on the alleged date, the Anganbari centre was closed and as such, there was no occasion for the victim to go to Anganbari centre. By filing supplementary affidavit, it is stated that petitioner has got clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner 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 A.D.J. - VI cum Special Judge, POCSO, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 450 of 2021, subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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