

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7915 of 2026

Arising Out of PS. Case No.-58 Year-2023 Thana- DHANAHA District- West Champaran

Arjun Paswan S/o- Ramdeni Paswan @ Ramdeni Majhee Village- Khotahwa
Police station- Dhanaha District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX D/o- YYY R/v- Khotahwa Ps- Dhanaha Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Brij Kishor Mishra, Advocate
For the State	:	Mr. Ahmad Ali, APP
For the Informant	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-04-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. Despite valid service of notice, no one appears on
behalf of the informant/Opposite Party No. 2.

3. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 376, 511,
323 and 504 of the Indian Penal Code and Section 8 of the
POCSO Act.

4. The prosecution case, in brief, is that on the alleged
date and time of occurrence, when the victim/informant went to
the fields to attend call of nature, in the meantime, seeing her
alone, this petitioner, along with co-accused Sandesh Paswan,



grabbed her, threw her on the ground and attempted to commit rape, however, the informant/victim somehow managed to escape.

5. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. As a matter of fact, prior to lodging of the present case, Dhanaha P.S. Case No. 11 of 2023 was lodged by brother of this petitioner against father of informant and others and in retaliation and only with a view to save their skin from the aforesaid case, this false and concocted case has been lodged. Moreover, the alleged occurrence took place on 15.01.2023 whereas the present complaint petition was filed on 17.02.2023 i.e. after inordinate delay of more than one month and there is no plausible explanation for the same, which itself makes the entire prosecution case doubtful. It is further submitted that after detailed investigation, police submitted final form against this petitioner, however, differing with the same, the learned trial court took cognizance. Petitioner claims clean antecedents.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.



7. Considering the facts and circumstances of the case, case and counter-case between the parties, delay in filing of the complaint petition and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, in the event of arrest/surrender 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 Exclusive Special Judge, Rape & POCSO Act, Bettiah, District- West Champaran in connection with Dhanaha P.S. Case No. 58 of 2023, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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