

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28465 of 2015

Arising Out of PS.Case No. -102 Year- 2014 Thana -SC/ST PS District-
EASTCHAMPARAN(MOTIHARI)

=====

Naval Kishore Pathak s/o late Shiv Gulam Pathak r/o vill Harpur Pipra P.S.
Majorganj Dist Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Dhannjay Kumar No 2

For the Opposite Party : Mr. Sadanand Paswan (Spl. Pp)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-10-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in Motihari
P.S.Case No.102 of 2014 instituted under Sections 342, 448, 328
and 377 of the Indian Penal Cod, pending in the court of SDJM,
Sadar, Motihari.

It is alleged by the informant that his son Akhilesh
Kumar is the student of Class-IX in the Govt. High School and on
29.09.2014 his teacher called his son in his room for the purpose
of teach and taken him to his room after locking the gate the
accused feed biscuits etc and after taking the biscuit he became
senseless and petitioner committed unnatural offence with him.

It has been submitted on behalf of the petitioner has
got no criminal antecedent. The present prosecution case has been

instituted after three days of the occurrence. Petitioner is a teacher in the High School. The medical examination has not supported the allegation made in the FIR.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and number of witnesses have stated that they have come to know that such an incident had taken place in the campus of school.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner and the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks and pray for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

B.Kr./-

U		T	
---	--	---	--