

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8031 of 2016**

Arising Out of PS.Case No. -1245 Year- 2015 Thana -BHOJPUR COMPLAINT CASE District-  
BHOJPUR

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Shio Nandan Sah, Son of Late Biku Sah, resident of village- Tarachak, P.S.-  
Azimabad, District- Bhojpur

.... .... Petitioner

Versus

1. The State of Bihar  
2. Kusum Kumari W/o Ashwani Kumar, presently teacher Middle School,  
Chilhar P.S.- Azimabad, Dist.- Bhojpur

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      23-02-2016                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Petitioner, who is the Headmaster of Middle School,  
Chilhar, apprehends his arrest in connection with Complaint Case  
No.1245C of 2015 registered for offence punishable under Section  
354 of the Indian Penal Code.

The prosecution case as lodged by one Kusum  
Kumari, who filed a complaint-cum-protest petition stating therein  
that on the date of occurrence i.e. 21.4.2014 from 12.30 to 12.45  
P.M. the complainant was taking water from hand pump of Middle  
School, Chilhar and petitioner called her to the room which is  
adjacent to booth no.167 and there was none and the petitioner



was sitting at Bench and petitioner repeatedly pressurized her to sit on the bench stating therein that now he is going to retire and she will have to face some difficulties ahead. The petitioner touched the cheek and back of the complainant and started vulgar talks. When the complainant started fleeing from the room the petitioner caught hold of her hand and threatened her not to discuss with any one. When she discussed the same with her family member they advised her to inform the police station and accordingly the complainant on 22.4.2014 did not come to the school due to fear and on 23.4.2014 there was Holiday and on 24.4.2014 the complainant complained before Azimabad police station.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. The petitioner has a clean antecedent as is evident from paragraph 3 of this petition and the allegation levelled by the complainant is because she was rebuked by the petitioner for coming late to school and just as an after thought these allegations have been levelled against the petitioner. It has further been submitted that the police under investigation has found the allegations against the petitioner to be false.

However, learned A.P. for the State submits that the petitioner is named in the First Information Report.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Ara, District Bhojpur in connection with Complaint Case No.1245C of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Nilu Agrawal, J)**

N.H./-

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