

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.58001 of 2015**

Arising Out of PS.Case No. -511 Year- 2015 Thana -PHULWARI District- PATNA

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Ritesh Kumar @ Rehan S/o Vakil Rai Resident of Rastriya Ganj, P.S. &  
P.O. - Phulwari Sharif, District – Patna

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Braj Kishore Prasad(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**ORAL ORDER**

02/ 14-09-2016

Heard learned counsels for the petitioner  
and the State.

The petitioner has renewed his prayer for  
anticipatory bail in a case registered for the offences punishable  
under Sections 341, 323, 354 of the Indian Penal Code and  
sections 8 and 12 of the Protection of Children from Sexual  
Offences Act, 2012.

The prosecution case is that the informant  
was being teased by the petitioner since six months prior to the  
lodging of the case and on 22.07.2015 when the informant went  
to attend the computer classes, the petitioner tried to outrage the

modesty and inflicted cut injury with blade.

It is submitted by learned counsel for the petitioner that there is nothing on the record to suggest that the informant is minor rather the informant used to write love letters to the petitioner but when the petitioner refused to marry then maliciously the accusation has been levelled, hence, no offence under Sections 8 and 12 of the Protection of Children from Sexual Offences Act is made out. It is further submitted that the informant has retracted from the initial version and filed a petition to that effect before the learned court below. The same has been brought on record through supplementary affidavit as Annexure-5. A statement has been made in paragraph 5 of the petition that the petitioner has no criminal antecedent.

Though, this Court is not inclined to revise the earlier order, but in the facts and circumstances of the case, it is a case for consideration of prayer for bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Phulwarisharif P.S. Case No. 511 of 2015 pending in the court of learned Judicial Magistrate, Ist Class, Patna. It is expected from the learned court below to dispose of the bail application of the petitioner preferably on the same day.

Accordingly, this application is disposed of.

**(Dinesh Kumar Singh, J)**

