

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.165 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

=====

SHYAM DEO RAM @ SHYAM DEO KUMAR RAM, (HEADMASTER
UP-GRADING MIDDLE SCHOOL, KUMARPUR), S/O MAHABIR
RAM, R/O VILLAGE -KUMARPUR, P.S.-BIHARIGANJ, DISTRICT-
MADHEPURA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

=====

Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 12-01-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with
Bihariganj P.S. Case No. 167 of 2016 (POCSO Special Case No.
13 of 2016) registered under Sections 341, 354-A, 354-B and
506/34 of the Indian Penal Code and Section 9(F) of the POCSO
Act.

The accusation is that informant being student of
class-VIII of Middle School, Kumarpur, was present in the school
on 28.09.2016. One teacher Pawan Kumar asked her to serve a
glass of water. When she reached with water then Pawan Kumar
started to touch her, on which, she made protest and came in class



room and made complaint to lady teachers about the incident, but they did not take any action. Thereafter, informant reached at her house and narrated the incident to her parents. The Headmaster (petitioner) and other teachers instead of taking any action against Pawan Kumar blamed in respect to her character. On 29.09.2016, petitioner and Pawan Kumar called her in the office and scolded her. On 30.09.2016, when she reached to the school then petitioner and Pawan Kumar again called her in the office and started to touch her.

Learned counsel for the petitioner submits that petitioner is the Headmaster of Up-Graded Middle School, Kumarpur. The specific allegation is against Pawan Kumar of making attempt to develop physical relation with the informant. The parents of the informant made complaint to the petitioner then petitioner assured to take action against Pawan Kumar on enquiry but in the meantime, the present case has been lodged making false allegation against the petitioner also. It is further submitted that petitioner has no criminal antecedent and is in custody since 07.10.2016.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the Special Judge POCSO Act, Madhepura, in connection with POCSO Special Case No. 13 of 2016, arising out of Bihariganj P.S. Case No. 167 of 2016. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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

