

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14093 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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1. Sri Narayan Prasad Son of late Chaukouri Prasad Resident of Village-Madurua, P.S.-Chainpur, District Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

5 06-07-2017 Heard both sides.

The petitioner apprehends his arrest in Chainpur P.S. case No. 28 of 2017 under Section 341, 342, 354(B) of the Indian Penal Code and under Section 8 of the POCSO Act.

The informant alleged that Sri Narayan Prasad, Incharge Headmaster of Middle School, Kharigawa, took her in his lap with bad intention. Sarita Kumari, friend of victim, came and thereafter petitioner left her.

Sri Subodh Kumar Jha, the learned counsel for the petitioner, submits that the occurrence took place two weeks earlier but no explanation was given in the FIR for lodging the case after two weeks. The petitioner did not do any wrong acts and on account of some rivalry in the school the petitioner has falsely



been implicated in the case. The petitioner has got enmity with Bholu Yadav who set up the victim to lodge the case after two weeks. The petitioner filed a petition before the Collector to hold an enquiry and do justice but from perusal of the case diary it appears that victim and her friend supported the allegation and even the teachers of the school reiterated the facts.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, i.e., the learned Additional Chief Judicial Magistrate-II, Kaimur at Bhabhua in Chainpur P.S. case No. 28 of 2017, the learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from the order of this court and dispose of the bail petition, preferably, on the same day.

(Prabhat Kumar Jha, J)

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