

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61577 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -MAHILA P.S. District- SAMASTIPUR

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Dinesh Kumar S/o Sri Teju Ram, R/o village and P.O.- Dangokhas, P.S.-
Gagret, District- Ura, Himachal Pradesh at present Principal Kendriya
Vidyalaya, Rail Will Palnt, Bela, P.S.- Dariyapur, District- Saran.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Samastipur Mahila P.S.
Case No. 25 of 2017 instituted for the offence under Section-376 of the
Indian Penal Code.

The allegation in the written report is that the informant was
an employee on contract as PGT Teacher (Life Sciences) since 21-11-
2016 in Kendriya Vidyalaya, Rajendra Agriculture University, Pusa.
She was residing in a house opposite to the house of this petitioner,
who was Principal of the aforesaid institution. He developed intimacy
with her and on promise to marry her, developed physical relationship
with her and when she told him to marry, the petitioner threatened her
to remove from service and also to kill her. She also alleged that he
sexually exploited her after giving such promise of marriage.

The case diary has been received wherein the statement of



victim girl recorded u/S 164 Cr.P.C. is available wherein, she has fully supported the allegation against the petitioner.

Counsel for the petitioner has submitted that she was appointed on contract basis by the committee consisting of four persons and her contract expired on 20-04-2017. She has levelled false allegation against this petitioner because her contract was not renewed.

From Annexure-2, it appears that there was five members in the committee. But the informant has levelled specific allegation against this petitioner only. In her statement, recorded u/S 164 Cr.P.C., she has supported the allegation and levelled specific allegation against the petitioner.

This court after looking into the allegation finds that the petitioner being public servant took advantage of his official position and induced the informant who was subordinate to him as contract lady teacher to have sexual intercourse with him.

In such circumstances, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail stands rejected.

(Sanjay Priya, J)

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