

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2695 of 2018

Arising Out of PS. Case No.-268 Year-2017 Thana- BALIA District- Begusarai

Prakash Sinha @ Prakash Nandan Sinha S/o late Deonandan Prasad Sinha
Resident of Upar Tola, Ward No. 3, Village- Balia, P.S. Balia, District
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ambuj Nayan Chaubey

For the Opposite Party/s : Mr. SRI AWADHESH KUMAR SINGH

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Ballia P.S. case no.
268 of 2017 instituted for the offence under Section(s) 354B
and 506 of the Indian Penal Code and Section 3(ch) of the
POCSO Act.

Allegation in the written report is that the daughter of the
informant aged about 6 years was studying in L.K.G. in Kids
Garden English School. It is alleged that this petitioner who is
said to be the Principal of the school always used to do bad
activity with her. It is further alleged that on 10.10.2017
petitioner attempted to do illegal act with her. The victim girl
told about the incident to her father. The informant came to the



school with his wife but the petitioner was not present in the school.

Learned counsel for the petitioner has submitted that this petitioner is not the Principal of the School rather he is a Trustee and Managing Director of the Devnandan Memorial Trust under which the school comes. Petitioner has no concern with the day-to-day affairs of the school, which was done by the Principal of the School, namely, Priti Kumari. Learned counsel for the petitioner has further submitted that this case has been filed because there was dues of the tuition fees against the victim girl and when school made pressure to make payment of the fees then this false case has been lodged.

The case diary has been received in this case. The victim girl has given her statement in para 6 of the case diary, wherein she has levelled specific allegation, against this petitioner. It further appears that for the alleged dues of the tuition fees with the victim girl as submitted by the petitioner there was no any demand made by the School. In such circumstance this court is not inclined to grant anticipatory bail to petitioner. Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the Court below and make prayer for regular bail which shall be considered and



disposed of on its own merit in accordance with law without
being prejudiced by the present order.

(Sanjay Priya, J)

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