

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14772 of 2020

Arising Out of PS. Case No.-373 Year-2019 Thana- SAMASTIPUR MUFFASIL District-Samastipur

-
1. SAROJ KUMAR SINHA @ SARANJ KUMAR SINHA @ SAROJ KUMAR S/o Late Mithilesh Sinha R/o Vill-Baikunthpur Bashanda, P.S.-Ujjiyarpur, District-Samastipur (Bihar).
 2. Rohit Kumar @ Rohit Kumar Singh @ Rohit Kumar Sinha S/o Late Ranjeet Singh R/o Ward No.10, Bhagirathpur, P.S.-Kalyanpur, District-Samastipur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Kumar Prabhakar
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-10-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 447, 341,
342, 504, 506, 354(B), 354(D), 34 of the Indian Penal Code as
well as Section 11/12 of the POCSO Act.

Prosecution case is that informant is that when she
was returning from coaching then near stairs of the Techno
Mission School, the accused persons of this case stopped her
way standing there and started making filthy comments and
smile. The informant further states that on earlier occasion also



these two accused persons along with one Samsheer Yadav used to making filthy comments. The informant also adds that today two girls came in hostel on top and alleged that accused persons used to see the dance of the girls by zooming camera. It is further alleged that when the girls came to know about the fact and went for complaint then the accused persons started to abuse them. It is further alleged that accused persons also stare them badly and also touch them in the name of making ties proper.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. He submits that petitioner no. 1 Saroj Kumar Sinha is the business partner of the owner of Techno Mission School namely Sri Amarkant Lal (for short 'A.K. Lal) and he enclosed the partnership deed between A.K. Lal and the petitioner no.1 as Annexure 2 of this petition. He submits that petitioner no. 2 is an employee of the said school. He submits that the owner of Techno Mission School, Samastipur namely A.K. Lal has lodged a case bearing Muffasil P.S. Case (Samastipur) No. 338 of 2019 under Section 419, 420, 406, 465, 468, 504, 506 IPC against the cousin uncle of the informant for creating nuisance in the school campus. He submits that petitioners have never made any filthy



comment or bad smile nor ever put obstacle in movement of the girls nor even seen any dance of the girls as alleged. He submits that principal of the said school has also alleged and lodged case against the uncle/cousin uncle of the informant with regard to misappropriation of Rs. 1.5 crore of the said school by Mukun Kumar and this has also attached vide coverage by media/print media. He further submits that informant is nephew of Mukund Kumar who has a business interest and dispute in the said school.

In the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court of POCSO, ADJ-1, Samastipur in connection with Samastipur Muffasil Police Station Case No. 373 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

devendra/-

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

