

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41941 of 2021**

Arising Out of PS. Case No.-1650 Year-2019 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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PANKAJ KUMAR Son of Shri Umesh Prasad Chaurasiya Resident of
Village- Bauridih, P.S.- Khodaganj, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nipu Kumari Daughter of Kamlakant Prasad Resident of Village- Bauridih,
P.S.- Khodaganj, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dineshwar Prasad Singh, Adv

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-12-2021 Let the defect (s) be removed within two weeks of
the complete start of the physical Court.

Heard the parties.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341,376,506 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act.

The victim has levelled allegation that the petitioner, before whom she was getting tuition, allegedly ravished her. Victim was a minor on the date of occurrence.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on



anticipatory bail in connection with Complaint Case No.1650(C) of 2019 corresponding to Mahila P.S.Case No.56 of 2018 pending in the court of learned Addl. Sessions Judge-VI-cum-Spl. Judge, POCSO, Nalanda, Biharsharif.

Hence, prayer is refused.

Petitioner is directed to surrender within two weeks and pray for regular bail.

In para-20 of his bail petition, the petitioner has stated oath that the learned court below had granted regular bail to the petitioner during investigation of the case.

The learned District Judge, Nalanda at Biharsharif shall enquire the matter and submit a report alongwith a copy of the order granting bail to the petitioner in connection with Mahila P.S.Case No.56 of 2018 wherein the police submitted final form after investigation of the case and then the criminal court was set on motion through complaint petition. The statement of the victim under Section 164 Cr.P.C. was there before the learned court below while granting bail to the petitioner.

Report must come within four weeks.

List this matter after report of the learned District Judge, Nalanda at Biharsharif.



Let it be listed on 19.01.2022.

(Birendra Kumar, J)

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