

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3786 of 2024

Arising Out of PS. Case No.-772 Year-2023 Thana- NATHNAGAR District- Bhagalpur

Amal Raj S/O Late Maria Louis R/O Village- Bargama, P.S- Patharghama,
Distt.- Godda, Jharkhand- 8414147.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Basant Kumar Jain S/O Vishnu Kumar Jain R/O Cts Road, Marwari Patti,
P.S- Nathnagar, Distt.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Kr. Mishra, Advocate Mr. Sanjeev Kumar, Advocate Mr. Pravashankar Mishra, Advocate
For the Opposite Party/s	:	Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 30-04-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 342, 354A, 354B, 506/34 of the Indian Penal Code and Section 4/8 of the Protection of Children from Sexual Offences Act.

3. As per the prosecution case, the minor daughter of the informant is a student of Class-IX at St. Joseph School, Nathnagar, Bhagalpur. On 27.08.2023, daughter of the informant was called upon by two sports teachers of the school, namely, co-accused Mukesh Kumar and Prince Yadav for preparation of programme to be held on Teacher's Day where they asked her to establish physical relationship with them.



Again on 01.09.2023, the victim was called in the sports room where co-accused Mukesh Kumar tried to force upon the victim but she managed to escape from that place. It is further alleged that again on 12.09.2023, both the co-accused misbehaved with the victim and inappropriately touched her as result of which she became mentally unstable and is under depression.

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and he has been implicated in this case in a mechanical manner. The victim in her statement recorded under Section 164 Cr.P.C. has also not stated anything against the petitioner. He further submits that petitioner, on coming to know about the institution of the present F.I.R., terminated both the co-accused persons with immediate effect who were involved in the alleged occurrence and as such, he has taken appropriate measures against them as a Principal. Petitioner claims clean antecedent.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional District Judge-VI-cum-Special Judge, POCSO, Bhagalpur in connection with Nathnagar (Lalmatiya) P. S. Case No. 772 of 2023, Special POCSO 223/2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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