

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14013 of 2024

Arising Out of PS. Case No.-312 Year-2023 Thana- IMAMGANJ District- Gaya

Purushottam Kumar Prabhat @ Purushottam Kumar S/O Nilu Prasad @
Arbind Kumar Sinha R/O Village- Moniya (Pananiya), P.S- Imamganj, Dist.-
Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Imamganj Town P.S. Case No. 312 of 2023, lodged on
30.11.2023 under Sections 354B, 354D, 504, 506/34 of the
Indian Penal Code read with under Section 8 and 12 of the
POCSO Act.

3. As per the prosecution, the FIR has been lodged
against the petitioner and other accused persons against whom
there is allegation that they have tried to outraged the modesty
of the informant, who is alleged to be the minor and threat of
making the video viral has also been made.

4. Learned counsel for the petitioner submits that the
specific allegation of outraging the modesty is not against the
petitioner. The only material against the petitioner is that he has
threatened to make the photograph viral. Counsel further
submits that he is a person of clean antecedent and is in custody



since 01.12.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Learned counsel for the Informant vehemently opposes the prayer for bail and submits that from the content of the FIR it is very much clear that the *modus operandi* of commission of crime has been mentioned which made the life of the informant extremely bad. Counsel submits that on the previous occasion this Court has called for the case diary and statement under Section 164 of the Cr.P.C of the victim.

7. Upon perusal of the statement made under Section 164 of the Cr.P.C, this Court is of the view that the victim has supported the allegations made in the FIR, therefore, this Court is not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Imamganj Town P.S. Case No. 312 of 2023, pending before the learned Addl. Sessions Judge-VIIth-Cum-Exclusive Special Judge, POCSO, Gaya is **hereby rejected.**

(Dr. Anshuman, J)

Sudha/-

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