

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37996 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- INDUSTRIAL AREA District- Vaishali

Vikash Singh, aged about 42 years (Male), Son of Indradeo Singh, Resident of village - Supaul Taraiya, P.S.- Mahua, District - Vaishali.

... .. Petitioner

Versus

1. The State of Bihar.
2. Tania Kumari, Daughter of Ramesh Kumar Singh, R/O village - Mahipura, P.S.- Jandaha, District - Vaishali.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Subodh Prasad
For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 23-07-2024 This matter has been listed under the heading ‘For Orders (on office notes)’.

2. Perused the Memo No. 88 dated 05.06.2024 sent by the learned Additional District and Sessions Judge-VI-cum-Special Judge, POCSO, Hajipur, Vaishali to this Court.

3. Heard learned counsel for the petitioner and learned A.P.P. for the State.

4. The petitioner seeks bail in connection with Industrial Area P.S. Case No. 46 of 2024 dated 01.04.2024 registered for the offences punishable under Sections 8/12 of the POCSO Act.

5. As per the prosecution case, on 30.03.2024, the



petitioner being the teacher of a government school is alleged to have touched the private part of the body of the informant with bad intention who is a student in the said school.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the informant and other girls used the mobile in the class-room and when the petitioner being a teacher gave warning for not using the mobile in the class-room then they made a group and lodged the present false case against the petitioner. It is further submitted that as per the Headmaster of the School, the informant or any girl has not made any complaint against the petitioner. It is further submitted that on 22.04.2024, the informant and her father filed a petition before the learned Special Judge, POCSO, Vaishali, stating therein that the mobile phone was being used in the class-room by the informant and others and as such the petitioner took their mobiles and deposited before the Headmaster of the school by saying that they would receive their mobiles from the Headmaster after the study of the school and due to this reason the informant under wrong impression has filed the present false case against the petitioner, annexed as Annexure-2 to the bail petition. They have further stated in the petition that the



petitioner has not touched private part of the informant and others. The victim denied to be medically examined as stated in paragraph no. 23 of the case diary. Moreover, the petitioner has been terminated from the service. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 01.04.2024.

7. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VI(Sastam)-cum-Special Judge, POCSO, Hajipur, Vaishali in connection with Industrial Area P.S. Case No. 46 of 2024.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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