

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57479 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- TIKAPATTI District- Purnia

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Gautam Kumar @ Gautam Kumar Singh S/o- Mithlesh Singh Resident of
village- Goriyar Purab Goat Tola Ps- Tikapatti District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangita Devi wfie of Binod Thakur Resident of village- Goriyar Purab Naya
Tola, W.No-12, Ps- Tikapatti District- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 354 and 506 of the Indian Penal Code and Section 8 of
the Protection of Children from sexual offences Act 2012.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that on 19.04.2024 at about 5 pm, the
informant had gone to cut grass for feeding the animals, while
her daughter was alone in the house and was washing utensils at
the handpump, when petitioner came on his motorcycle and



asked the victim to come for tuition, on which the victim asked the petitioner to leave, as she will come after sometimes, but petitioner kept standing in the courtyard with an ill intention, since victim was alone in the house, thereafter the victim went inside the house for changing her clothes when petitioner also entered the room and started acting inappropriately and even removed his pants for committing rape, but victim raised an alarm on which the informant hearing the alarm came and caught the informant, but he fled pushing her and leaving his motorcycle behind.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant. It is next submitted that petitioner earns through giving tuition and the victim was taking tuition from him for the last nine months but then he was not paid his dues, as such, he has been implicated in the instant case in order to coerce him into submissions so that he does not demand his monetary dues. It is also submitted that the date of occurrence is 19.04.2024 and the FIR came to be instituted on 21.04.2024 i.e. after a delay of two days without any plausible explanation.

5. The learned APP for the State opposes the anticipatory bail application and submits that the petitioner



being tutor of the victim has shattered the relationship of teacher and student. It is further submitted that no mother would allege such allegations without there being any iota of truth and which has the potential of lowering down the image of the daughter in the society, only for the reason to save some money. It is next submitted, no doubt, there is a delay of two days in instituting the FIR, but when such occurrence takes place, the family initially is apprehensive to institute case thinking that it will lower the image of the victim in the society, but then, it appears that the family had taken a decision not to remain silent.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The application stands rejected.

(Satyavrat Verma, J.)

Sudhanshu/-

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