

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60068 of 2024

Arising Out of PS. Case No.-1708 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Niraj Kumar Mandal @ Niraj Kumar @ Niraj Kumar Yadav Son of Ramesh
Mandal R/O Vill.- Jiyagachhi P.S.- Muffasil Ranipatra, District- Purnea

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pinki Kumari Daughter of Madan Sharma R/O Vill.- Jiyagachhi P.S.-
Muffasil Ranipatra, District- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 19-09-2024 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
Section 354A of the Indian Penal Code and Section 12 of the
POCSO Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent. The learned
counsel for the petitioner submits that the complainant alleges
that while she was returning home on 03.07.2023 after attending
her coaching classes when she was intercepted by the petitioner,
who forcibly took her to a secluded place and showed some



vulgar videos and thereafter hold her hand and started acting inappropriately, on protest, the petitioner threatened that he will forcefully marry her, thereafter, she returned home and narrated the entire incident to her parents, accordingly when her parents went to the house of the petitioner, they were abused and ousted, it is next alleged that petitioner is posting pictures of complainant along with him on Facebook and is also demanding Rs. 5 lacs to leave the complainant alone. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant. It is also submitted that from perusal of the allegation as alleged in the FIR, it appears that complainant and the petitioner were known to each other from before and when the relationship soured the present false case came to be instituted. It is also submitted that deliberately a complaint has been instituted instead of an FIR so that the case could not be investigated by the police. It is submitted that had an FIR been instituted, perhaps, the correct facts would have come to the fore that petitioner has been falsely implicated in the instant case.

4. The learned APP for the State Mr. Chandra Bhushan Prasad, opposes the anticipatory bail application and submits that the victim appears to be in Class 10 and is a minor



and being aggrieved by the act of the petitioner had instituted the instant complaint. It is thus submitted that even if the petitioner and the complainant were known to each other, the petitioner could not have behaved inappropriately with the minor.

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

6. **The application stands rejected.**

(Satyavrat Verma, J.)

Sudhanshu/-

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