

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69361 of 2023

Arising Out of PS. Case No.-386 Year-2023 Thana- KOILWAR District- Bhojpur

SATYA PRAKASH @ RAJA S/o Vidyanand Rai R/o vill - Koilwar, P.S. -
Koilwar, distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey
For the Opposite Party/s	:	Mr. Ram Sumiran Rai
For the Informant	:	Mr. Shiv Prasad Gupta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-01-2024 Heard learned counsel for the petitioner, learned counsel
for the informant as well as learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Koilwar P.S. Case No.386 of 2023, registered for the offence
punishable under Sections 376 of the Indian Penal Code and 4
and 6 of the POCSO Act.

3. Allegedly, the petitioner made physical relationship
with the informant by luring her on the pretext of marriage. The
petitioner is said to have prepared a video of the informant and
got the same viral in newspaper and at other places.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He submits that the victim has not alleged any allegation against the petitioner in her statement recorded u/s 164 of Cr.PC. He further submits that the victim has only stated that the petitioner took her signature on a blank paper. He further submits that the informant has filed a complaint case against her father and mother in the learned Court below. Petitioner has three criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail. It is submitted by the learned counsel for the informant that the victim girl is a minor and also the petitioner took signature of the informant and used the same to lodge a complaint against the father and mother of the informant.

6. Having regard to the facts and circumstances of the case as well as considering that the victim is a minor as per her B.S.E.B. certificate, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.



8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

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