IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84026 of 2024

Arising Out of PS. Case No.-210 Year-2024 Thana- KHAGAUL District- Patna

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Vikash kumar S/o Ramraj Prasad Singh @ Ramdas Prasad Resident of village- Fhulchandchak, Taranja, P.S. - Naubatpur, Distt.- Patna

... ... Petitioner/s

Versus

1. The State of Bihar
2. Ratnesh Kumar S/o- Mahesh Kumar Singh R/o- Laekhanagar Near Baba Market, P.S.- Khagaul, Distt.- Patna.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
: Mr. Kumar Rajdeep, Advocate
For the State : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-12-2024 Heard Mr. N.K. Agrawal, learned Senior Counsel duly assisted by Mr. Kumar Rajdeep, learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Spl. (POCSO) Case No. 180 of 2024 arising out of Khagaul P.S. Case No. 210 of 2024 for the offences punishable under Sections 354-A of the Indian Penal Code and section 8 & 10 of the POCSO Act and 67 (A) of I.T. Act, lodged on 04.07.2024 by the informant, Ratnesh Kumar.

3. As per the prosecution story, the informant alleged that the petitioner was teaching the victim daughter and one day she confessed that for three months he is sexually exploiting her. He also threatened to make photos/video viral if his advice is

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not taken note of. This led to the F.I.R.

4. Learned counsel for the petitioner submits that he was teaching three children in the room and as such, it is not possible to sexually exploit one person. Further, though CCTV is installed in the room, no CCTV footage has come during the course of admission.

5. Learned APP has taken this Court to learned Sessions Judge order to show that the girl has made statement clearly explaining what kind of sexual exploitation took place, this Court refrains from incorporating the said statement to protect the privacy of the girl.

6. Having gone the facts of the case as also the facts on record couple with the statement of the victim girl, as per the certificate is of the year 2010 born, no relief can be granted to the petitioner.

7. Accordingly, the bail petition stands rejected.

(Rajiv Roy, J)

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