

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2964 of 2025

Arising Out of PS. Case No.-79 Year-2021 Thana- MAHILA P.S. District- Patna

Rahul Kumar Son of Nathun Bhagat @ Nathun Malakar Resident of Village-
Bakawan, Sub Division- Barh, Block- Pandarak, P.S.- Bhadaur, Distt.- Patna,
Bihar, PIN-803306, at present Village- West Lohanipur Railway Hunter Road,
Langra School, P.S.- Kadamkuan, District Patna, Bihar, PIN Code-800003

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sapna Kumari Daughter of Sri Shiv Ratan Malakar Resident of Rajiv Nagar,
Road No. 23, House of Retd. S.P. Sri B.N. Sarkar, Kesri Nagar, Rajiv Nagar,
P.S.- Rajiv Nagar, Distt.- Patna, Bihar PIN Code-800024

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilanjan Chatterjee
For the Opposite Party/s : Mr. Ravindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 08-05-2025 1. Heard learned Senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 323, 341,
342, 354D, 506, 34 of the Indian Penal Code & Section 12 of
the POCSO Act.

3. Learned Senior counsel for the petitioner submits
that petitioner is a person with clean antecedent and the victim,
a minor, alleges that the petitioner used to tease her when she
went for coaching, further petitioner took screen shot of her
when she made a video call to her sister and used to black-mail



her and forced her to talk, further the sister of petitioner called her on pretext of birthday, when she realized that both brother and sister are trying to implicate her, further the petitioner threatened her father that he will added her picture and make it viral, further on 08.07.2021, the petitioner in front of her parents caught her and started pulling her towards himself and slapped her near Ashok Sharma.

4. The learned Senior counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that own Bhabhi of the petitioner is sister of the informant and as such the petitioner and the informant were known to each other and were in love but then when the parents came to know about their relationship the instant false case came to be instituted. It is also submitted that the case has been compromised as would manifest from Annexure-P/3, at page-23 to the anticipatory bail application.

5. Learned A.P.P. for the State Mr. Ravindra Kumar opposes the prayer for anticipatory bail of the petitioner and submits that the F.I.R. has been instituted under the POCSO Act also and the same is not compoundable, on which, the learned Senior counsel for the petitioner submits that in the nature of allegation and subsequent development if the petitioner is sent



to judicial custody his entire career would be ruined and chances are bright that he may come in contact with hardened criminal.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahila P.S. Case No.79/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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