

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1243 of 2025

Arising Out of PS. Case No.-362 Year-2024 Thana- BAHERI District- Darbhanga

Praveen Kumar Dev @ Pravin Kumar Dev Son of Kamal Lal Dev Resident of Village - Pakri, P.O. and P.S. - Baheri, District - Darbhanga

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Fekani Kumari Daughter of Late Fudar Lal Dev Resident of Village - Lagopur, P.S. - Baheri, District - Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Adv.
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Baheri P.S. Case No. 362 of 2024 registered for the offences punishable under Sections 8 and 12 of the POCSO Act.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that when she had come to Baheri village on occasion of Dussehra where she met the petitioner, whose sister lived in the village of the informant, further the petitioner on account of his acquaintance offered to drop her to her village Lagopur, thereafter made her sit on his motorcycle and took her to a

deserted place and tried to commit rape on her and even disrobed her, but the informant managed to flee and came to a village where she met a person who disclosed his name as Chhotte Lal and also disclosed the name of the village as Pakri. Further, the informant disclosed about her ordeal on which the information was given to Manoj who informed the police and thereafter the police came and took the informant to her village at Lagopur.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case by the informant. It is further submitted that from the perusal of the allegation as alleged in the FIR, it would manifest that the petitioner and the informant were known to each other and as such, the informant willingly accompanied the petitioner, but falsely implicated him at the instance of Manoj with whom the petitioner is having dispute relating to election.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the informant is 13 years old victim. It is further submitted that it absolutely does not stand to reason that as to why the informant would have falsely implicated the petitioner. It is next submitted that since sister of the petitioner was residing in the same village

where the informant resides, as such, she was known to the petitioner and thus had gone to Baheri village on the eve of Dussehra where she met the petitioner, when the occurrence was alleged to have taken place.

6. After hearing the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The anticipatory bail application stands rejected.

(Satyavrat Verma, J.)

Jyoti Kumari/-

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