

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11590 of 2025

Arising Out of PS. Case No.-133 Year-2024 Thana- NALANDA District- Nalanda

Sahil Kumar Son of Jitendra Kumar Yadav @ Jitendra Kumar Resident of Village- Bhikhanpur, P.S.- Tharthari, Dist- Nalanda P/A- Village- Lutfalichak, PS. and Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangeeta Verma W/o Ram Raj Prasad R/o vill - Kapatiya, P.o- Nalanda, P.S. and Distt.- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 09-07-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Nalanda P.S. Case No. 133 of 2024, registered for the offences punishable under Sections 4 and 6 of POCSO Act.

3. The prosecution case is based on the statement of one Sangeeta Verma, gave a written report along with a pen-drive to the S.H.O., Nalanda, stating therein that the petitioner was the tuition teacher of her mail child who was about 8 years old and he had informed her that the action of the tutor (petitioner) had been wrong and he was doing some sexual assault on the son of the informant and subsequently, the informant along with her husband planned and recorded the said



action of the petitioner on a subsequent date and thereafter, the present FIR was lodged.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated and he has been planted in the present case due to personal differences. It has further been submitted that it was on account of non-fulfillment of her illegal demand of Rs. 2 lakhs, the petitioner has falsely been implicated in this case and even the victim boy was not medically examined and there was no FSL for DNA had been done to establish the factum of the prosecution case. It has next been submitted that the trial has already begun and two of the prosecution witnesses have been examined and the petitioner is languishing in judicial custody since 24.08.2024 and carries clean antecedent.

5. The learned A.P.P. has vehemently opposed the prayer for bail and has stated that the boy in his statement given under Section 180 B.N.S.S. has stated the entire fact as stated in the FIR by his mother and has reiterated about the sexual assault committed by the petitioner upon him. Learned A.P.P. for the State has also stated that even from the perusal of the deposition of the two prosecution witnesses, namely, informant and her husband, it would be evident that they have stood by the



prosecution case.

6. Considering the aforesaid submissions and the nature of allegations, I am not inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is rejected.

(Sourendra Pandey, J)

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