

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21387 of 2025

Arising Out of PS. Case No.-77 Year-2024 Thana- Pothia District- Katihar

Tushar Bharti S/o Rajesh Kumar Bharti @ Rajesh Bharti R/o Village-
Ruchdev Simariya, Police Station- Pothiya, District - Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjna Devi W/o Birendra Patel R/o vill - Bhangha, P.S.- Pothia, Distt.-
Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Mandal, Advocate
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-07-2025 Heard Mr.Arun Kumar Mandal, learned counsel for

the petitioner and Mr.Tarkeshwar Nath Thakur, learned A.P.P.

for the State.

2. The petitioner is apprehending his arrest in
connection with Pothiya P.S. Case No. 77 of 2024, F.I.R. dated
31.08.2024 registered for the offence punishable under Sections
64,76,308,3(5) of BNS and Section 67(A) of I.T.Act.

3. Allegation against the petitioner is that on showing
obscene photographs of victim, the petitioner demanded money
from the victim and her family.

4. Learned counsel for the petitioners submits that the
petitioner has clean antecedent and he has falsely been



implicated in the present case. It appears from the FIR that the specific allegation against co-accused person, namely, Ritik Yadav in the entire FIR and allegation against the petitioner is that he alongwith other co-accused persons have uploaded the private videograph of the victim with Ritik Yadav on social media and apart from that, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and petitioner has been made accused in the present case merely on the ground that he is friend of co-accused person, namely, Ritik Yadav.

5. Learned APP for the State, on the other hand, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for bail of the petitioner and submits that co-accused person, namely, Ritik Yadav has made physical relationship with the victim and the petitioner alongwith other co-accused persons have uploaded the nude photograph of the victim on social media and apart from that, the statement of the victim under Section 164 Cr.P.C./Section 183 of BNSS, 2023 was recorded in which she has categorically stated that the petitioner has prevented her for her medical examination and apart from that, the petitioner has



assured the victim that Ritik Yadav would perform marriage with with her. It appears from the FIR that the date of birth of the victim is 02.07.2006 which suggests that on the date of occurrence, the victim was minor.

6. Considering the aforesaid facts, I am not inclined to grant privilege of anticipatory bail to the petitioner in connection with Pothiya P.S. Case No. 77 of 2024 pending in the court of learned District and Additional Sessions-VI-cum-Special Judge, POCSO, Katihar.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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