

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38050 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- MAHILA P.S. District- Sheohar

Saurav Kumar, S/O Ramchandra Ram, R/o Piprahi Ward No. 4, P.S- Piprahi,
Distt.- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Reema Devi W/o Bhagwan Sah R/o vill and P.s. - Piprahi, Distt.- Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajkumar Rajesh, Adv.
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Dharmendra Kumar Paswan, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 08-10-2025 Heard learned Advocate for the petitioner, learned
APP for the State as well as learned Advocate for the informant.

2. The petitioner apprehends his arrest in connection with Mahila P.S. Case No.8 of 2025 registered for the offences punishable under Sections 65(1) of the BNS and Sections 4 and 6 POCSO Act.

3. The allegation against the petitioner is of ravishing the minor daughter of the informant while she was in the school on the point of knife.

4. Learned Advocate for the petitioner contended that, in fact, the present case has been instituted against the petitioner on account of previous enmity between the family of the informant and the petitioner. The re-statement of the informant



clearly suggests that the victim has never been subjected to rape and, in fact, the allegation even if it is taken to be true, it may hardly be a case of molestation and, in any view of the matter, the petitioner could be convicted and sentenced for an imprisonment of three years and thus the petitioner should be given privilege and noticed under Section 35 of B.N.S.S. It is further contended that the petitioner has been working as a Teacher in the said school and there had never been any complaint against him. Keeping the petitioner behind the bar would ruin his entire career. Moreover, the investigation of the crime is complete and it has come that only case which is made out against the petitioner is under Section 75 of B.N.S. and Section 8 of the POCSO Act.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that besides the specific allegation that the victim was subjected to rape and molestation, now the process under Sections 82 and 83 CrPC have already been executed.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that process under Sections 82 and 83 has already been executed, this Court is not acceded to the prayer for



anticipatory bail of the petitioner. Accordingly, his prayer is rejected.

7. However, if the petitioner surrenders before the court below within a period of six weeks from today and seeks regular bail, the same shall be considered and disposed off on its own merit(s) without being prejudiced by the order of this Court.

(Harish Kumar, J)

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