

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46773 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- KONCH District- Gaya

Sanjay Kumar Gupta @ Sanjay Gupta S/o Late Guru Narayan Prasad R/o Village-Konch, P.S.-Konch, District-Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari W/o Sanjeet Gupta@Sanjeet kumar R/o Village-Konch, P.S.-Konch, District-Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP
For the Informant : Mr. Bipin Kumar Deo, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

913-02-2025

Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with POCSO Case No. 67 of 2024 arising out of Konch P.S. Case No. 24 of 2024 instituted for the offences under Sections 354A, 354B of the Indian Penal Code and Sections 8, 12 of the POCSO Act.

3. Accusation against the petitioner is of misbehaving with the victim and also attempting to outrage her modesty.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner is the headmaster of the school in which the victim is the student. Learned counsel further submitted that that petitioner has falsely been implicated in this case due to the fact that there is a dispute between the family members of the victim and this petitioner relating to the money matters. Learned counsel further submitted that there is a delay of twenty-two days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.01.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case, statement of the victim recorded under Section 164 of the Cr.P.C., at this juncture, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the



petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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