

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40692 of 2025

Arising Out of PS. Case No.-98 Year-2025 Thana- GOH District- Aurangabad

Om Prakash Kumar S/o- Mahendra Yadav Moh- Lodipur PO- Akauna Ps-Goh
Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh, Adv.
For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The present application for anticipatory bail arises out of Goh Police Station Case No. 98 of 2025 registered on 26.03.2025 for the offences punishable under Sections 126(2)/, 77, 78 of the Bhartiya Nyaya Sanhita, 2023 and Sections 67, 67(a) of the I.T. Act.

3. As per the First Information Report, the allegation against the petitioner is that he stalked, misbehaved and teased the informant's daughter while she was going to her school and also took her video and made it viral.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to dispute between the petitioner and informant's daughter. The petitioner is running Global Computer Classes and the victim initially



started doing computer course there and subsequently, she started taking computer classes on the payment basis. After some time, the petitioner prevented the victim girl from taking class for which, the present FIR has been lodged without mentioning time and date of the occurrence. The victim, in her statement recorded under Section 183 CrPC, has stated that the petitioner took her photograph and snatched her *Dupatta* (veil) and also threatened her that she would not be allowed to reside in the locality. He further submits that the petitioner was released on PR Bond by the police on 26.03.2025 and subsequently, the police tried to arrest him due to which the present application for anticipatory bail has been filed.

5. Having regard to the submissions of the parties and the fact that the petitioner was released on PR Bond by the police on 26.03.2025 and there is no apprehension of arrest, the present application for anticipatory bail filed by the petitioner is misconceived. Accordingly, the same is, hereby, rejected.

6. However, if the petitioner surrenders and seeks regular bail, the learned trial court will consider his bail application on the basis of law laid down by the Hon'ble Supreme Court, in the case of *Satendra Kumar Antil v. CBI and Another*, reported in (2022) 10 SCC 51 and *Arnesh Kumar*



v. The State of Bihar and Anr reported in *(2014) 8 SCC 273* as well as the decision of this Court, in the case of *Naushad Ansari v. The State of Bihar (Criminal Misc. No. 3536 of 2024)* and *Asha Baitha v. The State of Bihar (Criminal Misc. No. 44659 of 2024)* that the maximum punishment for the offences alleged against the petitioner is three years.

7. Accordingly, the present application for anticipatory bail stands disposed of.

(Anil Kumar Sinha, J)

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