

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66890 of 2024

Arising Out of PS. Case No.-1346 Year-2023 Thana- PHULWARISHARIF District- Patna

Abhishek Pandey @ Abhishek Kumar Son of Nand Kishore Singh R/V-
Village- Bhadur, P.S.- Phulwarisharif, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Pandey D/O- Late Sashi Bhushan Pandey R/O- Bhushaula Chak,
P.S.- Phulwarisharif, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mrs.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-01-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends his arrest in a case registered for offence under Section 376 of the Indian Penal Code and Sections 4, 6 of the POCSO Act.

3. The allegation against petitioner is that he is said to be a drug addict who used to make illicit relation with the victim-informant by intoxicating her by drugs and also made video of the incident and threatened to make it viral.

4. Learned counsel for the petitioner submits that petitioner has committed no offence and has been falsely implicated in this case by mother of the informant in order to



grab the property of petitioner. He further submits that mother of petitioner has already filed a civil suit, vide Civil Suit No. 10158 of 2023, for permanent injunction against the mother of informant and in order to put pressure, this false case has been lodged.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that petitioner is named in the F.I.R. with specific allegation of aggravated penetrative sexual assault on victim by administering her drugs and also made video of the said incident and threatened her to make the same viral. The victim, in her statement recorded under Section 164 Cr.P.C., has supported the prosecution case and stated her age as 16 years. The victim has categorically stated that petitioner entered into physical sexual relationship with her multiple times under intoxication.

6. Considering the heinous nature of accusation, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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