

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71048 of 2024

Arising Out of PS. Case No.-325 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

Ankit Goswami Son of Late Triloki Goswami R/V -Bheriya, P.S- Durgawati,
Distt- Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reena Devi Wife of Tuntun Goswami R/V -Bheriya, P.S- Durgawati, Distt- Kaimur (Bhabua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Mishra

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

6 22-03-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail has

been filed by the petitioner apprehending his arrest in

connection with Durgawati P.S. Case no. 325 of 2023

instituted for the offence under Sections 354(D), 506,

509/34 of Indian Penal Code and Section 8/11 of POCSO Act.

3. The prosecution's case, in brief, is that whenever

the informant's minor daughter used to go out for school or

any other purpose, the petitioner, along with co-accused

Vishal Goswami, used to harass her by making obscene



gestures and attempting to forcibly make her sit on his motorcycle, and also pressuring her to elope with him. It is further alleged that, on multiple occasions, the petitioner wrote letters and threw them into the informant's house, as well as placed mobile phones in the victim's bag. Additionally, he is accused of posting obscene photos and derogatory remarks on the social media accounts of co-villagers, with the intent to disrupt her prospective marriage. His mother, Sugwanti Kuer, allegedly supported him in the aforesaid act. Furthermore, on the alleged date, at approximately 9:00 A.M., while the informant's daughter was on her way to school, the petitioner and co-accused Vishal Goswami allegedly engaged in obscene acts and attempted to forcibly take her on their motorcycle. However, upon the arrival of bystanders, they fled from the scene.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. Both parties are neighbours and in the background of land dispute regarding drainage, petitioner has falsely been implicated in the present case. A statement has been made in para-3 of



this petition that the petitioner has got no criminal antecedent.

5. The learned Additional Public Prosecutor (APP) appearing for the State has vehemently opposed the bail prayer, arguing that from perusal of the case diary, particularly paragraphs 2, 3, 4, 8, & 9, reveals that several witnesses have corroborated the allegations. Furthermore, the victim's birth certificate, which is annexed with the petition, confirms that she was minor at the time of the incident. Additionally, photocopy of two purported letters sent by the petitioner, have also been annexed with the F.I.R. to show the prima facie evidence supporting the authenticity of the F.I.R. and warranting serious consideration of the allegations.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for anticipatory bail stands rejected.

7. The petitioner is directed to surrender before learned court below and prays for regular bail, which may be considered by the court below on its own merit, without being



prejudiced by the order of this Court.

(S. B. Pd. Singh, J)

Nirajkrs/-

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