

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78302 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- NAUGACHIA MAHILA P.S. District-
Bhagalpur

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Pankaj Kumar Son of Umesh Yadav R/o Village- Godhiyari, Sahugarh, P.S.-
Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. X Daughter of Ramesh Kumar Singh R/O Vill.- Kadwa, Pratap Nagar, P.S.-
Kadwa, Dist.- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and the

State .

2. Petitioner apprehends arrest in a case registered for

the offence punishable under sections 74, 75 , 351 (2) of the

Bharatiya Nyaya Sanhita and Section 8 of the Protection of

children from Sexual Offences Act.

3 . The prosecution case in brief, is that informant aged

about 15 years went to school on 01.08.2024 and this petitioner

who is incharge of the school asked her to come at his residence

and prepare Julep (Sharbat) and accordingly informant along

with her classmate went to his residence where this petitioner



touched her inappropriately and tried to outrage her modesty .

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged. Petitioner is working as senior secondary teacher in the institute . Informant is also student of the said institute who was involved in inappropriate conduct with the student on multiple occasions and therefore she was warned by the school institute to refrain from such behaviour and her misconduct was also reported to her parents by the school authorities. Petitioner being a senior teacher in order to uphold discipline and ensure proper conduct within school premises scolded the informant and in retaliation this false and concocted case has been lodged against this petitioner.

5 . Learned counsel for the State opposed the prayer for bail and submitted that petitioner is named in the F.I.R., with specific accusation that he tried to outrage the modesty of the informant. Petitioner is none less than the incharge of the institute and informant who is student of that institute . During course of investigation , the victim in her restatement and in para 3 of case diary , the witness who is classmate and was present at the time of occurrence and other classmates including coaching teacher Rahul have supported the prosecution case .



6. Considering the nature of accusation and perused the material available on record, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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