

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4621 of 2025**

Arising Out of PS. Case No.-661 Year-2024 Thana- SIWAN MUFFASIL District- Siwan

Jawed Anwar S/o Shree Amanullah R/o Village/Mohalla- Bairya, P.S.-  
Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sindhu Kumari W/o Sanjeev Tiwari R/o Village- Akaupur, P.O.- Hakam,  
P.S.- Mahadewa, District- Siwan

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Priyanka Singh, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      17-03-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Mufassil P.S. Case No. 661 of 2024, disclosing offences under Section 74 of the Bhartiya Nyaya Sanhita, 2023 and under Sections 6 and 8 of the POCSO Act.

3. The prosecution case as per the First Information Report, lodged on 20.10.2024, is that the informant's daughter was attending the school, namely, Utkramit Madhya Vidyalaya, Aakopur. During the course of examination, the petitioner molested/sexually assaulted the informant's daughter and another student. The informant's daughter told the incident to



her mother, i.e., the informant. The informant informed the incident to school headmaster, thereafter, the informant and the school headmaster gave an application to the District Education Officer who directed for lodging the F.I.R.

4. Learned Senior Counsel for the petitioner argued that the petitioner is permanent and experienced teacher of the Utkramit Madhya Vidyalaya, Mahuari and has falsely been implicated in this case. He was deputed along with other teachers at the present school, namely, Utkramit Madhya Vidyalaya, Aakopur between 19.09.2024 to 24.09.2024 by the departmental order to perform examination duty. The victim girl is student of Class-5th and she was indulged in cheating in examination. When the petitioner caught her using unfair means in the examination, the petitioner has been made accused in the present case. No other girls has filed any complaint against the petitioner, whereas in the F.I.R., it has been alleged that the petitioner molested the victim girl and other girls also. The petitioner was suspended on the basis of the allegation made by the informant. However, the suspension order was quashed by this Hon'ble Court in a writ application filed by the petitioner bearing C.W.J.C. No. 803 of 2025, vide order dated 23.01.2025.

5. The learned Additional Public Prosecutor for the



State has vehemently opposed the prayer for bail of the petitioner.

6. I have heard learned counsel for the parties and perused the record, it appears that there is specific allegation against the petitioner that he misbehaved, molested and sexually assaulted the victim girl, aged about 11 years, while she was in the school. The suspension order of the petitioner has been quashed by this Court on the technical ground that condition laid down in Rule 9 of the CCA Rules, 2005, has not been followed by the authority, the allegation against the petitioner is serious in nature, accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail consequently the same is rejected.

7. This application is accordingly, rejected.

**(Anil Kumar Sinha, J)**

Siwani/-

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