

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1762 of 2026

Arising Out of PS. Case No.-280 Year-2025 Thana- SAUR BAZAR District- Saharsa

Akhilesh Kumar S/O Dhruvendra Yadav @ Dhruvendra Kumar Resident of
Village- Belha Tola, Saur Bazar, Ward no. 03, P.S- Saur Bazar, District-
Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XYZ D/O Late Dilip Gupta R/O Ward No. 02 Saur Bazar, P.S- Saur Bazar,
Dist.t- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-06-2026 Despite valid service of notice, none appears on
behalf of the opposite party no. 2.

2. Heard learned counsel for the petitioner and the
State.

3. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 351(2), 352, 74 of the
Bharatiya Nyaya Sanhita and Sections 8, 12 of the Protection of
Children from Sexual Offences Act.

4. Prosecution case, in brief, is that on 12.08.2025 at
about 5 PM, when informant was passing by a shop, this
petitioner passed vulgar comments on her and upon protest, he



started abusing informant and tried to assault her.

5. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. As a matter of fact, petitioner is a shopkeeper and one Raghvendra Kumar purchased articles worth Rs. 25,000/- from his shop and when petitioner asked for the money, he falsely implicated petitioner in this case. It is further submitted that except section 74 of the BNS all are bailable and section 74 of BNS is not made out as the petitioner has not used any criminal force against the victim. So far as, Sections 8, 12 of POCSO Act is concerned the same is not made out as neither the petitioner touched the victim nor there is any allegation of sexual harassment.

6. Learned A.P.P. for the State vehemently opposed the bail application.

7. Considering backdrop of the case and nature of accusation, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge VI cum Special Judge (POCSO), Saharsa in connection



with Sour Bazar P. S. Case No. 280 of 2025, subject to condition
as laid down under Section 482(2) of the BNSS.

(Prabhat Kumar Singh, J)

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