



**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74272 of 2025**

Arising Out of PS. Case No.-35 Year-2025 Thana- ANTI District- Gaya

Ajay Kumar @ Ajay Prasad S/o Kishon Prasad @ Kishori Prasad R/o Village
- Bana Bigha, P.S - Aati, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Jubair Alam S/o Late Md. Kasim R/o Village - Jamalpur, P.S - Aati,
District - Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar
For the Opposite Party/state: Mr.Nirmal Kumar Sinha
For the Opposite Party No.2: None

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

6 04-05-2026

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Anti P.S. Case No. 35 of 2025 dated 09.03.2025 registered under Section 126(2), 74, 352, 351(2), 3(5) of the B.N.S., 2023 and Section 12 of the POCSO Act.

3. As per the F.I.R. on 08.03.2025 the informant's daughter informed him that the petitioner, who is a teacher in her school, uses abusive language in the class room and also touches her inappropriately. It has further been alleged that on 08.03.2025 the victim along with others were misbehaved and a video was made viral on *whatsapp*. The petitioner wants to spoil communal atmosphere and creates discrimination between two





communities.

4. Learned counsel for the petitioner submits that petitioner is an aged teacher and has falsely been implicated in this case on account of the fact that on 08.03.2025 the petitioner has lodged an F.I.R. against the informant and others stating therein that on 08.03.2025 at about 15:40 hours while he was sitting in his school verandah after completing his class in Jamalpur Madhya Vidyalaya at that time some 8-9 persons including the informant came to the school verandah and all of them together asked the petitioner that why he made a video of today's prayer, everyone started abusing the petitioner and threatened to kill him. They also torn the shirt of the petitioner. The petitioner lodged Anti P.S. Case No. 33 of 2025 on 08.03.2025 itself. That after the petitioner lodged the F.I.R. on 08.03.2025 the present F.I.R. has been lodged on 09.03.2025 against the petitioner on a false and concocted story as a counter blast to the F.I.R. lodged by him. The petitioner has not committed any offence in the manner alleged. During course of investigation higher Police Officer in his supervision note in paragraph no. 62 has come to the conclusion that the present case lodged against the petitioner has not been found true.

5. No one appears for the opposite party no. 2 despite





service of notice.

6. Regard being had to the submission made by the parties, taking into consideration the fact that F.I.R. lodged by the petitioner is prior in time and the finding arrived at by the police authority in his supervision note, I am inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Exclusive Special Judge POCSO cum District & Additional Sessions Judge VII, Gaya Ji in connection with Anti P.S. Case No. 35 of 2025 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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