

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10467 of 2016

Arising Out of PS.Case No. -18 Year- 2015 Thana -SC/ST District- SEKHPURA

- =====
1. Sita Ram Chauhan son of Navrangi Chauhan
 2. Bajrang Chauhan S/o Ramprit Chauhan
- Both R/o Village- Lodipur Beldaria, P.S.+District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-03-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 354, 379, 504 of the Indian Penal Code, 3(R) (S) (vi) of the S.C./S.T.(Prevention of Atrocities) Act and 8 of the Protection of Children from the Sexual Offences Act.

The prosecution case is that the daughter of the informant Sudha Kumari, aged about 14 years went out side to ease on 19.07.2015 at 7.00 P.M., when co-accused Ramprit Chauhan caught her hand and started dragging her. On alarm being raised Ramprit Chauhan escaped from the scene, but the informant saw him escaping from the



scene. The informant went to the house of Ramprit Chauhan and complaint to his family members, whereupon the petitioners, co-accused Ramprit Chauhan, wife of Ramprit Chauhan and sister Rambatiya Devi all abused the informant by calling caste name. Petitioner no. 2 Bajrangi Chauhan snatched gold ear ring worth Rs. 15,000/- from the informant.

It is submitted by the learned counsel for the petitioners that so far as accusation under Section 8 of the Protection of Children from the Sexual Offences Act is concerned, it is only made out against co-accused Ramprit Chauhan. The occurrence took place in the house of Ramprit Chauhan, hence, it cannot be treated as a place of public view. Accusation is omnibus and general since the petitioners are related to the Ramprit Chauhan, hence they have been roped in the present case. Co-accused Putul Devi and Rambatiya Devi have been granted bail by a Coordinate Bench of this Court vide Cr. Misc. No. 52232 of 2015. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the thrust of accusation is against Ramprit Chauhan and similarly situated co-accused have been granted bail by a Coordinate Bench of this Court, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a

period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J., Sheikhpur in connection with SC/ST P.S. Case No. 18 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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