

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7263 of 2019

Arising Out of PS. Case No.-265 Year-2018 Thana- SANGRAMPUR District- Munger

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1. Umesh Das, son of Amin Das,
 2. Anil Das, Son of Kuldeep Das,
 3. Bijay Das, Son of Ram Das,
- All are resident of village Katiyairi, P.S.- Sangrampur, (Tetyabumber), District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 15-02-2019 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 354(B), 354(C), 504/34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was talking with her husband, the accused persons, variously armed, arrived and assaulted them and also ill treated her.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have falsely been implicated in the present case. There is a case and counter case between the parties. The allegation made in the counter case has not been explained by the prosecution. The Medical Board examined the victim to be 19 years of age. Hence, no offence under the POCSO Act is applicable in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum- Special Judge, POCSO, Munger in connection with Sangrampur (Tetyabumber) P.S. Case No. 265/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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