

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25712 of 2019

Arising Out of PS. Case No.-61 Year-2018 Thana- AZIMABAD District- Bhojpur

Bitu Singh S/o Late Bijay Singh R/o village- Bhimpura, P.S.- Azimabad,
District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 37471 of 2019

Arising Out of PS. Case No.-61 Year-2018 Thana- AZIMABAD District- Bhojpur

Chunnu Kumar Singh @ Chunnu Singh @ Chunn Kr. Singh S/o Rabindra
Singh R/o village- Bhimpura, P.S.- Azimabad, District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 25712 of 2019)

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Prem Kumar Jha

(In CRIMINAL MISCELLANEOUS No. 37471 of 2019)

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Dinesh Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 23-07-2019 As the aforesaid two cases have cropped up from the

same P.S. Case, hence, they are taken up together and disposed

of by this common order.

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in connection



with Azimabad P.S. Case No. 61 of 2018 registered for the offence punishable under Sections 354(B)/34 of the Indian Penal Code, Section 8 of POCSO Act.

When the minor daughter of the informant Madhu Kumari had gone to the grocery shop for purchasing tea leaf, petitioners were present there and at the instigation of the petitioner Bittu Singh, petitioner Chunnu Singh tried to make her fall down and also teased her. On protest made by his daughter, Chunnu Singh pointed pistol on her, but she anyhow managed to escape.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They have been falsely implicated in this case. Informant and his daughter Madhu Kumari are in habit of filing case against the persons and later on get the case compromised. Informant has lodged the present case against the petitioners and got the aforesaid case compromised with petitioner Bittu Singh taking money, but as the petitioner Chunnu Singh could not accord her money, she did not enter into compromise with him. There is no independent eyewitness of the occurrence. The informant also does not happen to be eye witness of the occurrence.

On the other hand, learned APP opposed the bail



prayer of the petitioners.

In the facts and circumstances of the case, 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 six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge, Bhojpur Ara in connection with Azimabad P.S. Case No. 61 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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