

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37950 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- GHOSI District- Jehanabad

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1. Vijay Prasad, Aged about 40 years, Male, Son of Late Chandrajeet Yadav @ Bagha Yadav.
 2. Ajay Prasad, Aged about 36 years, Male, Son of Late Chandrajeet Yadav @ Bagha Yadav.
 3. Shakuntala Devi @ Shakulata Devi, Aged about 35 years, Female, Wife of Ajay Prasad.
 4. Fulli Devi, Aged about 38 years, Female, Wife of Vijay Prasad.
 5. Rajeev Kumar, Aged about 18 years, Male, Son of Raja Yadav.
- All are residents of Village Manibigha, P.S. Ghoshi, District Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhananjaya Nath Tiwari
For the Opposite Party/s :	Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-06-2019 Heard both sides.

Petitioners apprehend their arrest in Ghoshi P.S. Case No.55 of 2019, registered under Sections 341, 323, 504, 354, 354(A) and 34 of the Indian Penal Code and under Section 8 of the POCSO Act.

The gist of the allegation is that while the daughter of the informant was coming after easing out, Jitendra Kumar @ Dhuri is said to have caught the hand of the victim and he was dragging her inside a bush with an intention to outrage her modesty but the victim raised alarm and on such Jitendra Kumar left her and fled away. When the informant went to complain to the house of Jitendra Kumar, petitioners, who are parents and uncle of Jitendra Kumar, are alleged to have assaulted the informant.



Learned counsel for the petitioners submits that no offence is made out against the petitioners either under Section 8 of the POCSO Act or under Sections 354 and 354(A) of the Indian Penal Code. Other offences are bailable.

Learned counsel for the informant and the learned Additional Public Prosecutor however, opposed the prayer for anticipatory bail.

Taking into consideration the facts that only allegation against the petitioners is that when the informant came to the house of the petitioners to complain about the ill behaviour of Jitendra Kumar, the petitioners are alleged to have assaulted the informant, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 1st, Jehanabad in connection with Ghoshi P.S. Case No.55 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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