

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44426 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- MAHILA P.S. District- Sheohar

1. Raj Mangal Rai, aged about 60 years (Male), Son of Late Basudeo Rai
2. Mukesh Kumar, aged about 30 years (Male), Son of Raj Mangal Rai
3. Munna Kumar, aged about 28 years (Male), Son of Raj Mangal Rai
4. Rama Shankar Rai, aged about 35 years (Male), Son of Ram Akhilesh Rai @ Akhilesh Rai
5. Uma Shankar Rai, aged about 32 years (Male), Son of Ram Akhilesh Rai @ Akhilesh Rai

All resident of Village-Brindawan, P.S.-Tariyani, District-Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 19-07-2019 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Sheohar Mahila P.S. Case No. 16 of 2019 registered for offences under sections 376, 341, 323, 337/34 of the Indian Penal Code and Section 04 of the Protection of Children from Sexual Offence Act (POCSO Act).

In the present case, an allegation has been made that one Mahesh Kumar has forcibly committed sexual assault upon the younger sister of the Informant, he was apprehended there but, later on, the family members of Mahesh Kumar came there and assaulted the family members of the Informant.



Learned counsel for the petitioners submits that the specific allegation has been made against Mahesh Kumar who is already in custody. So far other accused persons are concerned, there is general and omnibus allegation against them of causing injury by pelting stone.

Looking to the entire facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released 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 learned Additional District and Sessions Judge-cum-Special Judge-1st, Sheohar in connection with Sheohar Mahila P.S. Case No. 16 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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