

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56574 of 2019

Arising Out of PS. Case No.-142 Year-2019 Thana- MASHRAK District- Saran

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1. Pankaj Kumar Singh @ Pankaj Singh Son of Late Vijay Singh
 2. Subodh Singh @ Subodh Kumar Son of Vinod Singh
- Both are residents of Village- Dewariya, P.S.- Mashrakh, District- Saran at Chapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan
For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-11-2019 Heard learned counsel for the petitioners and learned
Addl. Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Mashrakh P.S. Case No.142 of 2019 registered for the offence under Sections 342, 376, 511, 504, 506 of the Indian Penal Code and Section 7 of the POCSO Act.

Accusation against the petitioners of trying to forcibly commit rape on the informant Swati Kumari, while she was sleeping in her room and her two sisters, namely, Nikki Kumari and Surbhi Kumari were sleeping in another room.

It was submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the present



case due to previous enmity in between the parties. The petitioners and informant are agnates and due to ulterior motive, the present case has been lodged against them. He submits that as a matter of fact, on the date of occurrence i.e. 22.04.2019 brother of the informant and petitioners were playing cricket, wherein some hot exchange had taken place between them, and on intervention, the mother of petitioner no.1, namely, Meera Devi was brutally assaulted by the informant's brother, for which an F.I.R. vide Mashrakh P.S. Case No.202 of 2019 was lodged under Sections 341, 323,379, 354B,504,506 and 34 of the Indian Penal Code. Learned counsel for the petitioners submits that no case of POCSO Act is made out.

Learned Addl.Public Prosecutor has opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender within a period of six weeks from the date of receipt of the 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 learned Addl. District and Sessions Judge-1st-cum-Special Judge, POCSO, Saran at Chapra in connection with Mashrakh P.S. Case No.142 of 2019,



subject to conditions as laid down under Section 438(2) Cr.P.C.

(Anjani Kumar Sharan, J.)

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