

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65340 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- MAHILA PS District- Gopalganj

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1. MUNNA @ KALIM HAIDER
 2. Wasim Ali @ Wasim Haidar
Both are Sons of Haidar Ali Resident of Village- Tirbirwa, P.S. and District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-11-2019 The petitioners apprehend their arrest in connection with Mahila P. S. Case No. 02 of 2019 registered under Sections 323,341,354B, 504 and 506/34 of the Indian Penal Code and 8, 10 and 12 of the Protection of Children from Sexual Offences Act.

Allegation against the petitioners is that petitioners misbehaved and tried to outrage the modesty of the informant while she was coming out from school after lunch.

Learned counsel appearing on behalf of the petitioners submits that petitioners have falsely been implicated in this case inasmuch as present FIR has been lodged after delay of two days at the behest of local Sarpanch. He further submits that parents of the petitioners had some election dispute with the Sarpanch and petitioners are the co-villagers of the victim girl. He further submits that allegation against the petitioners and other accused



persons are general and omnibus in nature and from perusal of the FIR, no offence under Section 354B of the Indian Penal Code muchless under Section 8, 10 and 12 of the POCSO Act is made out. Learned counsel further submits that petitioners have no criminal antecedent and they are students pursuing B.Tech course right now.

Having regard to the submissions made by the parties and taking into consideration the fact that there is no allegation that petitioners have touched the body of the informant and further petitioners are students studying in B.Tech course, I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned CJM, Gopalganj in connection with Mahila P.S.Case No. 02 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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