

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9976 of 2019

Arising Out of PS. Case No.-104 Year-2018 Thana- BARHARA KOTHI District- Purnia

1. Surendra Mandal Son of Late Darogi Mandal
2. Vinod Kumar Mandal @ Vinod Mandal son of Surendra Mandal
3. Anjani Kumari daughter of Surendra Mandal
4. Raju Kumar @ Raju Mandal son of Surendra Mandal
5. Kavita Devi wife of Vinod Kumar Mandal @ Vinod Mandal
6. Kaushalya Devi wife of Surendra Mandal
7. Savita Devi wife of Sikandar Mandal

R/o village- Laxmipur Bhitha, P.S.- Barhara, District- Purnea

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-02-2019 This application, for grant of anticipatory bail, arises out of Barhara (Raghubanshnagar) P.S. Case No. 104 of 2018, disclosing offences under Sections 147, 148, 149, 341, 323, 504, 506, 354 (D) of the Indian Penal Code and Section 8 and 12 of the POCSO Act.

Allegation as per complaint petition, which has subsequently been sent for institution of F.I.R. under Section 156(3) of Cr.P.C. is to the effect that the petitioners used to tease the daughter of the informant in the way to school and on 06.09.2017, petitioner no. 2 caught her cheek and threatened her and told her to tell her mother and father to leave the village.

Submission of learned counsel for the petitioners is



that out and out false and concocted case has been levelled against the petitioners and no such occurrence as alleged has ever taken place, which will appear from the fact there is delay of about seven months in filing the complaint petition, on the basis of which, F.I.R was lodged. A submission has been made in para -3 of the petition that petitioners have no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge- cum- Special Judge, POCSO Act, Purnea, in connection with Barhara (Raghubanshnagar) P.S. Case No. 104 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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