

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6927 of 2020

Arising Out of PS. Case No.-205 Year-2019 Thana- KHAIRA District- Saran

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1. Ganga Sah @ Ganga Kumar Sah Son of Bhulendra Sah Resident of Village - Chota Takiya, P.S. - Khaira, Distt. Saran, Chapra.
 2. Laddu Manjhi @ Ladudu Kumar Manjhi Son of Amar Nath Manjhi Resident of Village - Chota Takiya, P.S. - Khaira, Distt. Saran, Chapra.
 3. Bijuli Kumar Manjhi @ Bijuli Manjhi Son of Amar Nath Manjhi Resident of Village - Chota Takiya, P.S. - Khaira, Distt. Saran, Chapra.
 4. Tufan Kumar Manjhi Son of Saryu Nath Manjhi Resident of Village - Chota Takiya, P.S. - Khaira, Distt. Saran, Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 25-06-2020 The matter has been listed today for consideration through Video Conferencing.

Learned counsel for the petitioners and the State are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioners and the learned APP for State.

Petitioners apprehend their arrest in connection with



Khaira P.S. case no. 205 of 2019 instituted for the offence under Sections 341,323, 354 and 504/34 of the IPC and Section 166 of the Information Technology Act.

The FIR has been lodged on 23.6.2019 on the basis of written complaint alleging that accused persons belonging to the informant's village have been posting her photographs with one Mahmood Miyan on face book and other places. On objection raised against the petitioners they have allegedly assaulted the informant and her grand mother.

The petitioners' counsel submits that they all belong to the same village. The FIR does not disclose the details with respect to the time or date of the occurrence. The petitioners are all tender age having no criminal antecedents. Further, it is submitted that the informant and the petitioners have filed a joint compromise petition in the Court concerned. Copy of the same is Annexure-2 to the present application. The same has been filed stating that under confusion and being instigated by one Mahmood Miyan, the case has been lodged.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the rival submissions, prayer of the petitioners' for grant of anticipatory bail is allowed. In the event



of surrender/arrest of the petitioners before the court below, named above, within four (04) weeks from today, they shall be released on anticipatory 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 Judicial Magistrate 1st Class, Chapra, Saran in connection with Khaira P.S. case no. 205 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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