

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8844 of 2020

Arising Out of PS. Case No.-162 Year-2019 Thana- BATHNAHA District- Sitamarhi

1. HARISHCHANDRA SINGH @ HARI SHANKAR SINGH Son of Late Ram Bahadur Singh Resident of Village- Panthpakar, P.S.- Bathnaha, District- Sitamarhi.
2. Mithila Bihari Singh Son of Late Ram Bahadur Singh Resident of Village- Panthpakar, P.S.- Bathnaha, District- Sitamarhi.
3. Vicky Kumar Son of Mithila Bihari Singh Resident of Village- Panthpakar, P.S.- Bathnaha, District- Sitamarhi.
4. Rubi Devi Wife of Harishchandra Singh @ Hari Shankar Singh Resident of Village- Panthpakar, P.S.- Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pushpendra Kumar Singh, Adv.
For the State	:	Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-02-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Bathnaha P.S. Case No. 162 of 2019, registered for the offence punishable under Sections 147, 148, 149, 323, 324, 380, 504, 506 of the Indian Penal Code and Section 14 of the POCSO Act, 2012.

The allegation is regarding the accused persons including the petitioners herein having assaulted the informant and his family members after arriving at their house pursuant to the



incident wherein the son of the petitioner no. 1 had tried to commit an obscene act with the daughter of the informant.

The learned counsel for the petitioners has submitted that a general and omnibus allegation has been levelled against the petitioners and as far as the petitioners are concerned, they have got no role to play in the alleged incident. It is submitted that if any grave allegation has been levelled, it has been levelled against the co-accused person, namely, Sunny Kumar, who is stated to have committed a foul play with the four years daughter of the informant. Lastly, it is submitted that injuries if any found upon the person of the prosecution party are stated to be simple in nature.

The learned counsel for the informant has vehemently opposed the prayer for bail but has not been able to deny the fact that the injuries inflicted upon the prosecution party are simple in nature.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or



surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, (POCSO) Act), Sitamarhi in connection with Bathnaha P.S. Case No. 162 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

