

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26068 of 2020

Arising Out of PS. Case No.-45 Year-2020 Thana- NAANPUR District- Sitamarhi

RISHIKESH KUMAR @ SONU MISHRA, (Male), aged about 21 years, Son
of Raman Mishra @ Raman Kumar Mishra, Resident of Village - Kharka,
P.S.- Nanpur, District - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Pushpendra Kumar Singh, Advocate.
For the Opposite Party : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offences
registered under Sections 341, 323, 354, 452, 353, 427, 504,
506/34, 354(B), 307 of the I.P.C. and Sections 37(a)(b)(c) of the
Bihar Prohibition and Excise Act, 2016.



The prosecution case, in short, is that on 06.02.2020 at about 8.00 P.M., the informant received information that 4-5 persons entered into the 'Kasturba Gandhi Girls Hostel', Kharka, in drunken state, assaulted Warden Mamta Kumari and also tried to misbehave with the girls of the said Hostel. On receiving that information, he alongwith armed forces came to the said Girls Hostel and saw one person was assaulting a lady and girls were trying to rescue her but his associates pushed them. The informant caught one of them who was in drunken state who disclosed his name as Rishikesh Kumar @ Sonu Mishra (petitioner) and also disclosed the name of his associates who fled away as Abhishekh @ Munna, Kanhai Kumar, Gaurav Kumar @ Kanhai and Ratan Jha, Then the informant sent the injured Kapildeo Kumar Yadav, Guard and Mamta Kumari to P.H.C. Bokhra for treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.02.2020. He has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner and others after entering into the Girls Hostel in drunken state,



assaulted the Warden Mamta Kumari and misbehaved with the girls of the said Hostel. General and omnibus allegation has been made against the petitioner. No specific overtact is alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Nanpur P.S. Case No. 45 of 2020.

(Sudhir Singh, J)

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