

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23900 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- ASANWA District- Siwan

1. RAM NATH GOND Son of Late Munnilal Gond Resident of Village - Barhara,P.S.- Asaon, District - Siwan.
2. Gena Gond Son of Late Munnilal Gond Resident of Village - Barhara,P.S.- Asaon, District - Siwan.
3. Munna Gond Son of Late Phulena Gond Resident of Village - Barhara,P.S.- Asaon, District - Siwan.
4. Raju Gond Son of Late Phulena Gond Resident of Village - Barhara,P.S.- Asaon, District - Siwan.
5. Rahul Gond son of Ram Nath Gond Resident of Village - Barhara,P.S.- Asaon, District - Siwan.
6. Rajesh Gond Son of Gena Gond Resident of Village - Barhara,P.S.- Asaon, District - Siwan.
7. Manjesh Gond Son of Gena Gond Resident of Village - Barhara,P.S.- Asaon, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad
For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-10-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioners and Sri Ram Sumiran Rai, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Asaon PS case no. 13 of 2020 registered for



the offences punishable under Section 354(B) and other allied sections of Indian Penal Code.

The informant is stated to have gone to the field, on the alleged date and time of occurrence, for cutting grass, where suddenly the accused persons arrived and started abusing the informant as also tore her clothes.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. It is further submitted that a general and omnibus allegation has been levelled against the petitioners and the fact is that no such occurrence had ever taken place.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioners and taking into account the fact that a general and omnibus allegation of assault has been levelled against the petitioners herein and moreover, the petitioners are having clean antecedents as also no serious injuries appear to have been sustained by the informant, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail, however subject to certain conditions. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the



court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Asaon PS case no. 13 of 2020 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

This Court further directs that since the investigation of the present case is going on, the petitioners herein shall appear before the Officer-in-charge of the concerned police station on each and every Monday of the week and co-operate with the Investigating Officer and in case of two consecutive defaults in appearing before the said Officer-in-charge, the present privilege of bail being granted to the petitioners herein shall stand cancelled automatically and the petitioners would be taken into custody forthwith.

(Mohit Kumar Shah, J)

rinkee/-

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

