

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12919 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- PANDARAK District- Patna

1. VINOD MOCHI Son of Rmeshwar Mochi Resident of Village- Lemuabad, P.S.- Pandarak, District- Patna.
2. Vikki Kumar Son of Virendra Ram @ Bijendra Mochi Resident of Village- Lemuabad, P.S.- Pandarak, District- Patna.
3. Manjesh Kumar Son of Kishori Mochi @ Kishori Das Resident of Village- Lemuabad, P.S.- Pandarak, District- Patna.
4. Srawan Kumar Son of Rajendra Das @ Surendra Das Resident of Village- Lemuabad, P.S.- Pandarak, District- Patna.
5. Sanni Kumar Son of Sadhu Mochi @ Sadhu Das Resident of Village- Lemuabad, P.S.- Pandarak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishor Prasad, Advocate
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner No.3, as the petitioner No.3 has been taken into judicial custody.

Permission is accorded.



The application filed on behalf of petitioner No.3 is dismissed as withdrawn.

The petitioner Nos.1, 2, 4 and 5 are apprehending their arrest in connection with Special (POCSO) case No.88 of 2020 arising out of Pandarak P.S. case No.47/2020 registered under Sections 341, 323, 504, 506, 509, 325, 354(A), 269, 270, 271, 188/34 of the Indian Penal Code and Sections 8/10 of POCSO Act and 3 of Epidemic Disease Act, 1897.

Allegation is that the petitioners teased the sister of the informant and abused her. Co-accused Sudhir Kumar fired and threatened the informant and his family members.

It has been submitted on behalf of the petitioner Nos.1, 2, 4 and 5 that the petitioner Nos.1, 2, 4 and 5 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos.1, 2, 4 and 5. The petitioner Nos.1, 2, 4 and 5 have falsely been implicated in the present case. No specific overt act is alleged against the petitioner Nos.1, 2, 4 and 5. General and omnibus allegation has been made. The main allegation is against the co-accused, namely, Sudhir Kumar.

On behalf of the State, it is submitted that the petitioner Nos.1, 2, 4 and 5 are named in the complaint



case/F.I.R.

Considering the facts and circumstances of the case, the petitioner Nos.1, 2, 4 and 5, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory 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 Sessions Judge 1st, Patna in connection with Pandarak P.S. case No.47/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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