

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4962 of 2021

Arising Out of PS. Case No.-442 Year-2020 Thana- SUGAULI District- East Champaran

OM PRAKASH SINGH Son Late Banti Singh Resident of Stripur
Govindapur, P.S.-Sugauli, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-08-2021 Heard Mr. Dhurendra Kumar, learned Advocate
for the petitioner and Mr. Ram Priya Sharan Singh,
learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Sugauli P.S. Case No. 442 of 2020 dated 02.09.2020 instituted for the offences under Sections 147, 149, 341, 324, 354(B), 342, 504 and 506 of the Indian Penal Code.

The accusation in the FIR is that the victim girl was held back on the road by one Rupesh Singh. When she raised hue and cry, the petitioner and others also arrived but did not do anything to rescue the victim. The petitioner is the father of aforesaid Rupesh Singh. When the informant reminded the petitioner that he, being a senior citizen, should have taken action against his son,



the informant was assaulted, abused and was subjected to indignified behaviour. Her clothes were also torn.

Learned counsel for the petitioner has submitted that an absolutely false and concocted case has been lodged against him. It is true that he is the father of Rupesh Singh but so far as the accusation against him of abusing and assaulting the informant is concerned, that is not a fact. In fact, the parties have fought amongst themselves because of a dispute over laying and construction of a road. There is a counter version of the occurrence also and people from both sides have clashed leading to simple injuries on persons from both sides.

Regard being had to the aforestated facts, some of the other accused persons of this case have been granted anticipatory bail by the court below.

Merely because the petitioner is the father of one Rupesh Singh, who is said to have behaved in an indignified manner, the petitioner ought not to be prosecuted in this case.

Considering the background facts and grounds which have been aforenoted, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of



this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO, Motihari, East Champaran in connection with Sugauli P.S. Case No. 442 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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