

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7340 of 2021

Arising Out of PS. Case No.-31 Year-2019 Thana- ISHIPUR District- Bhagalpur

1. MITHU SAH Son of Panchu Sah R/O Village - Pasichak P.S. (Barahat), District - Bhagalpur.
2. Amit Sah Son of Panchu Sah R/O Village - Pasichak P.S. (Barahat), District - Bhagalpur.
3. Mukesh Sah Son of Panchu Sah R/O Village - Pasichak P.S. (Barahat), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-12-2021 Petitioner No. 3 Mukesh Sah has already been arrested in this case, hence, his prayer for anticipatory bail is dismissed as infructuous now.

Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks after complete start of the physical Court.

The petitioner nos. 1 and 2 are apprehending their arrest in a case registered for the offences punishable under Sections 141, 354, 494 of the Indian Penal Code and Sections 5 and 11(i) of the Protection of Children from Sexual Offenses Act, 2012.

Both sides are agnates. In the background of other dispute mentioned in para 4 of the complaint petition, allegation is that the petitioner no. 1 and 2 attempted to outrage the modesty of the



informant and attempted to commit sexual assault. Petitioner Nos. 1 and 2 have got no criminal antecedent.

Considering the background of allegation, let the petitioner nos. 1 and 2, above named, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Ishipur (Barahat) Police Station Case No. 31 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner nos. 1 and 2 shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner nos. 1 and 2.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioner nos. 1 and 2 shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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