

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2108 of 2022

Arising Out of PS. Case No.-447 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. MD. ISMAIL Son of Md. Ilias R/o Vill.- Shahpur, P.S.- Muffasil (Lakho O.P.), District - Begusarai
 2. Md. Navi Alam Son of Md. Fekan R/o Vill.- Shahpur, P.S.- Muffasil (Lakho O.P.), District - Begusarai
 3. Md. Noor Alam Son of Md. Fekan R/o Vill.- Shahpur, P.S.- Muffasil (Lakho O.P.), District - Begusarai
 4. Md. Hasiv Alam @ Pannu Fakir Son of Md. Fekan R/o Vill.- Shahpur, P.S.- Muffasil (Lakho O.P.), District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code and section 3(1)(r)(s) and 2(v) of the SC/ST (POA) Act.

As per the prosecution case, it is stated by the informant that the accused Allauddin @ Tinku misbehaved with her 15 year old daughter. On the informant and others going to complain about the occurrence, they were assaulted. It is further



stated that even on earlier occasion an FIR being 422 of 2019 was registered, however, no steps were taken. It is lastly stated that the eight other accused persons including the four petitioners herein also misbehaved and assaulted them.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that the main allegation is against the accused Allauddin @ Tinku and not the four petitioners herein. The allegations against these petitioners are general and omnibus in nature. Neither any occurrence has been described nor any date of occurrence has been mentioned, so far as the allegations against these petitioners are concerned. They are in custody since 24.7.2021 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against these four petitioners in the FIR together with the petitioners having remained in custody for 10 months and charge sheet having been submitted in the case, the Court directs the above four petitioners to be enlarged on bail in connection with Begusarai Mufassil (Lakho) P.S. Case no. 447 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of the
learned Addl. Sessions Judge VI-cum-Special Judge, POCSO
Act, Begusarai.

(Partha Sarthy, J)

Prakash/-

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