

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32276 of 2022

Arising Out of PS. Case No.-264 Year-2021 Thana- BENIPATTI District- Madhubani

1. MD. DANISH S/o Imtiyaz @ Lal Babu R/o village- Najara, P.S.- Benipatti, District- Madhubani
2. Tabish S/o Imtiyaz @ Lal Babu R/o village- Najara, P.S.- Benipatti, District- Madhubani
3. Md. Saif S/o Md. Gulab R/o village- Najara, P.S.- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-11-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 376, 143, 341, 323, 325, 380, 448, 504 and 506 of the Indian Penal Code and Section 4/6 of the POCSO Act.

Allegation against the petitioners is that they are the members of the mob who have assaulted the informant and his family members.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this



case. He submits that there is specific allegation against the co-accused Ekramul @ Sonu regarding commitment of rape and also threatened to viral the recorded video. He submits that Lal Babu has assaulted the grand father. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner and injuries found upon the victim are simple in nature, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Benipatti P.S. Case No. 264 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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