

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32594 of 2022**

Arising Out of PS. Case No.-12 Year-2022 Thana- MAHILA PS District- Buxar

1. BIHARI SINGH Son of Late Bansh Narayan Singh Resident of Village - Semariya, P.S.- Dhansoi, Distt.- Buxar.
2. Mahendra Singh Son of Late Shiv Muni Singh Resident of Village - Semariya, P.S.- Dhansoi, Distt.- Buxar.
3. Chandan Kumar Son of Bihari Singh Resident of Village - Semariya, P.S.- Dhansoi, Distt.- Buxar.
4. Manu Kumar @ Manu Kumar Singh Son of Bihari Singh Resident of Village - Semariya, P.S.- Dhansoi, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      10-10-2022                      At the outset, learned counsel for the petitioners submits that petitioners no. 2 and 4 have been arrested and as such, he seeks permission to withdraw this petition, so far as petitioners no. 2 and 4 are concerned.

Accordingly, in respect of petitioners no. 2 & 4, this petition is dismissed as withdrawn.

Heard learned counsel for the parties.

The petitioners (i.e. petitioners no. 1 & 3) apprehend their arrest in a case registered for the offence under Sections 341, 323, 447, 354(B), 504, 506/34 of the Indian Penal Code,



Section 8 of the POCSO Act and Sections 3(i)(r)(s)/3(2)(r) of SC/ST Act.

As per F.I.R., petitioners alongwith other F.I.R. named co-accused persons got co-accused Sonu Kumar freed from the custody of the villagers. They are also alleged to have abused and assaulted informant and others.

It is submitted by learned counsel for the petitioners that as per F.I.R., there is allegation against petitioners, but same has not been supported by the victim in her statement recorded under Section 164 of the Code of Criminal Procedure. As a matter of fact, a simple altercation took place between the parties on the alleged date, but in order to make the offence grievous, this false case has been lodged. Petitioners have got clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the general and omnibus nature of allegation and clean antecedent of petitioners, let the above named petitioner no. 1 & 3, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned A.D.J.-cum-Special Judge, POCSO Court, Buxar in connection with Buxar (Mahila) P.S. Case No. 12 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This application is, accordingly, disposed of.

**(Prabhat Kumar Singh, J)**

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