

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37255 of 2022

Arising Out of PS. Case No.-103 Year-2022 Thana- SONO District- Jamui

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1. VIKASH KUMAR SON OF BALESHWAR DAS R/O- KATAWAT, P.S.- SONO, DIST.-JAMUI
 2. MANOJ KUMAR SON OF CHANDAR RAVIDAS R/O- KATAWAT, P.S.- SONO, DIST.-JAMUI
 3. SANOJ KUMAR SON OF CHANDAR RAVIDAS R/O- KATAWAT, P.S.- SONO, DIST.-JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binay Kumar, Advocate
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey, APP
For the Informant/s	:	Mr. Sanjay Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 352, 354(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no.1 is aged about 19 years, petitioner no.2 is aged about 21 years and petitioner no.3 is aged about 18 years and the informant alleges that while she was coming back after attending nature's call, the accused persons were following her, further petitioner



no.1 put vermilion on her head, petitioner no.2 caught her hand and petitioner no.3 clicked a photograph, further Vikash attempted to rape her but on alarm the accused persons fled.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that the brother of the informant had kidnapped the sister of the petitioners for which negotiation was going on so that he returns his sister to them but before negotiation could have been arrived that the present false case came to be instituted, it is next submitted that even the allegation appears to be little vague that as to why Vikash would have put vermilion on her forehead and then would have tried to commit rape, it is further submitted that petitioners are young boys and the age in between 18-21 years and, in the event, if they are sent to jail based on such allegation which *prima-facie* does not inspire confidence then chances are bright that they may come in company of hardened criminals and their entire career would get jeopardized.

Learned APP for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners, but are not in a position to rebut the submissions of the learned counsel for the petitioner that at best it was the case



of attempt and then why Vikash would have put vermilion on the forehead of the informant and would have tried to get photograph clicked when admittedly during the course of investigation no photograph came to the fore.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sono P.S. Case No. 103 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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