

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55099 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- MAHILA PS District- Gaya

1. Dukhan @ Dukhan Ram @ Dukhan Ram Tanti Son of Rameshwar Ram Resident of Mohalla- Manpur Baijnath Prasad lane, P.S- Buniyadganj, Dist- Gaya
2. Komal Prasad @ Komal Prasad Tanti Son of Rameshwar Prasad @ Rameshwar Ram Resident of Mohalla- Manpur Baijnath Prasad lane, P.S- Buniyadganj, Dist- Gaya
3. Santosh Kumar Son of Dukhan Ram Resident of Mohalla- Manpur Baijnath Prasad lane, P.S- Buniyadganj, Dist- Gaya
4. Anil Kumar @ Karu Son of Dukhan Ram Resident of Mohalla- Manpur Baijnath Prasad lane, P.S- Buniyadganj, Dist- Gaya
5. Satish Kumar Son of Dukhan Ram Resident of Mohalla- Manpur Baijnath Prasad lane, P.S- Buniyadganj, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-12-2022 At the outset, learned counsel for petitioners seeks permission to withdraw the anticipatory bail application with respect to Komal Prasad @ Komal Prasad Tanti petitioner no. 2.

Permission is granted. The anticipatory bail application with respect to petitioner no. 2 is dismissed as withdrawn.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioner nos. 1, 3, 4 and 5 apprehend their arrest



in a case registered for the offences punishable under Section 376 and other allied sections of the Indian Penal Code.

As per the prosecution case, specific accusation of sexual assault is against co-accused Manish Kumar.

It is submitted that petitioner no. 1 is uncle, petitioner nos. 3, 4 and 5 are cousin brothers and they have been made accused in this case simply because they are relative of co-accused. So far as these petitioners are concerned, there is general and omnibus allegation against them.

Considering the facts aforesaid, the petitioner nos. 1, 3, 4 and 5 above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Gaya in connection with Gaya Mahila P.S. Case No. 02 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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