

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.705 of 2022

Arising Out of PS. Case No.-55 Year-2021 Thana- MAHILA P.S. District- Sheikhpura

1. Sushma Kumari D/o Awadhesh Mahto R/o Village- Sahnaura, P.S.- Ariyari, District- Sheikhpura.
2. Gita Devi W/o Awadhesh Mahto R/o Village- Sahnaura, P.S.- Ariyari, District- Sheikhpura.
3. Awadhesh Mahto S/o Late Mukhi Mahto R/o Village- Sahnaura, P.S.- Ariyari, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-07-2022 At the outset, learned counsel for the petitioner seeks permission to withdraw this anticipatory bail application in respect of petitioner no.2, Gita Devi as she has already been apprehended by the police during pendency of this application.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioner no.2, Gita Devi is concerned.

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

The petitioners apprehend their arrest in Sheikhpura



(Mahila) P.S. Case No.55 of 2021, registered for the offences punishable under Sections 493, 376, 120(B) and 506 of the Indian Penal Code.

The petitioners are said to have tempted the victim girl and co-accused, Jitendra Kumar made physical relation with her on the pretext of marriage.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that no specific overt act is alleged against the petitioners. The allegation is general and omnibus. It is lastly submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners and submitted that there is ample evidence in the case diary to show the involvement of the petitioners in the present case.

From perusal of the records and the impugned order, it transpires that there is sufficient material in the case diary to show the involvement of the petitioners in the present case.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail.



Accordingly, the prayer for anticipatory bail of the petitioners is
rejected.

(Anjani Kumar Sharan, J.)

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