

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3852 of 2023

Arising Out of PS. Case No.-513 Year-2022 Thana- MAHUA District- Vaishali

-
1. DEVENDRA SAH S/O BAIDHNAMI SHA Resident of Village- Ramray Singhara, P.S.- Mahua, District- Vaishali.
 2. RAJAN SAH S/O DEVENDRA SAH Resident of Village- Ramray Singhara, P.S.- Mahua, District- Vaishali.
 3. SITARAM SAH S/O DEVENDRA SAH Resident of Village- Ramray Singhara, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 376, 511, 504 and 506/34 of the Indian Penal Code pending in the learned court below.

Allegation on petitioners is that they beats the informant sides when the informant stopped one family member of petitioners named Ganga Kumar from raping the minor niece of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that the occurrence took place on



04.08.2022 but the FIR lodged on 09.08.2022 and there is delay of five days in filing of the present FIR and there is no any explanation of it which creates serious doubt about the prosecution case. He submits that there is no specific overt act against the petitioners. He further submits that there is specific overt act against the co-accused Ganga Kumar. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Mahua P.S. Case No.513/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

