

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6562 of 2023

Arising Out of PS. Case No.-123 Year-2022 Thana- TANDWA District- Aurangabad

1. RANJAN MEHTA Son of Late Sita Ram Mehta R/v- Harihar Urdana (Garh Par), P.S.- Tandawa, District- Aurangabad
2. SONI DEVI Wife of Ranjan Mehta R/v- Harihar Urdana (Garh Par), P.S.- Tandawa, District- Aurangabad

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioners and the learned A.P.P. for the State assisted by learned counsel for the informant.

The petitioners apprehend their arrest in connection with Tandawa P.S. Case No.123/22 registered for the offences punishable under Sections 376/420/504/506/34 of the Indian Penal Code, Section 4 of POCSO Act and Section 3 (1) (r) (s) (w) (i) & 3 (2) (va) of SC/ST (POA) Act.

The allegation against petitioners is that they are involved in aiding and abating the offence of penetrative sexual assault with a minor girl aged about 16½ years.

The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. The



allegations levelled against the petitioners is general and omnibus in nature. It is further submitted that merely the perusal of the F.I.R. will go to show that the name of the petitioners have been taken in a sweeping way which cannot establish the offence in itself. Both the petitioners are husband and wife and have no criminal antecedent.

Per contra, learned APP for the State assisted by learned counsel for the informant vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

However, if the petitioner surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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