

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11614 of 2023

Arising Out of PS. Case No.-167 Year-2022 Thana- GOH District- Aurangabad

1. Jitendra Kumar @ Jitendra Mishra S/O Kapil Mishra @ Kapil Dev Mishra R/O Village- Dadar, P.S.- Goh, Distt- Aurangabad.
2. Purushottam Paswan S/O Wakil Paswan R/O Village- Dadar, P.S.- Goh, Distt- Aurangabad.
3. Gandhi Paswan S/O Late Gopal Paswan R/O Village- Dadar, P.S.- Goh, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Pravesh Nath Tiwari
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-04-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 504, 506, 448, 354, 354(A)/34 of the Indian Penal Code and Section 8/12 of POCSO Act.

The prosecution case in nutshell is that co-accused Rahul Kumar entered the house of the informant and caught hold the minor daughter of



informant. It is further alleged that when the minor daughter of informant started shouting and informant also came there, petitioners came there and abused the informant, her daughter and cousin of the victim and threatened them of dire consequences.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. There is an inordinate delay of 2 days in lodging the F.I.R. there is no specific allegation of outraging the modesty is against the petitioners rather the specific allegation is against co-accused Rahul Kumar. There is general and omnibus allegation against the petitioners. Moreover, the petitioners are languishing in judicial custody since 14.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Goh P.S. Case No. 167 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-cum-Special Exclusive Judge (POCSO), Aurangabad.

(Sunil Kumar Panwar, J)

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