

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22435 of 2023

Arising Out of PS. Case No.-156 Year-2022 Thana- KARAKAT District- Rohtas

1. Shobhan Singh Son Of Keshwar Singh Resident Of Village Bengsagar, Ps Karakat, Dist- Rohtas
2. Sonu Kumar @ Sonu Yadav @ Sunny Yadav Son Of Shobhan Singh Resident Of Village Bengsagar, Ps Karakat, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 354(a), 427, 379, 504 and 34 of the Indian Penal Code and Section 12 of the POCSO Act.

As per the prosecution case, the petitioners used to tease and misbehave with the sister of the informant. On objection, they assaulted the informant.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He further



submits that the statement of the victim was not recorded under Section 164 of the Cr.P.C. He further submits that the occurrence took place on 14.08.2022 and the FIR was lodged on 29.08.2022 after delay of fifteen days, there is no any reasonable explanation to the delay caused in lodging the FIR, which creates serious doubt on the prosecution case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Karakat P.S. Case No.156 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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