

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39961 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- KALYANPUR District- East Champaran

1. Wakil Ram, male, aged about 38 years, son of Mushahar Ram @ Ramsundar Ram Village- Kamal Pakadi P.S.- Kalyanpur District- East Champaran at Motihari
2. Lalbabu Ram @ Lal Babu Ram, male, aged about 32 years, son of Kailash Ram Village- Kamal Pakadi PS- Kalyanpur District- East Champaran at Motihari
3. Sudama Ram, male, aged about 34 years, son of Shambhu Ram @ Sambhu Ram Village- Kamal Pakadi PS- Kalyanpur District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
For the State	:	Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Kalyanpur P.S. Case No. 128 of 2023 dated 18.04.2023 instituted under Sections 341, 342, 323, 379, 504, 506 and 509/34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. The allegation against the petitioners is that they intercepted the informant, misbehaved and assaulted her and threatened her of dire consequences in case matter gets reported to the police.



4. Learned counsel for the petitioners submits that petitioner no. 1 had lodged FIR against the brother of the informant due to that reason there is case and counter case between the parties. The alleged occurrence took place on 09.04.2023. However, the FIR was lodged on 13.04.2023 without any plausible explanation. The petitioners have no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge-cum- Special Judge, POCSO Act, Motihari, East Champaran in Kalyanpur P.S. Case No. 128 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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