

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54006 of 2023

Arising Out of PS. Case No.-90 Year-2022 Thana- SAHODARA District- West Champaran

Alauddin Sah Son Of Wakil Sah Resident Of Village - Kauwaha, P.S. -
Sahodara, District - West Champaran ... Petitioner/S

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 21-08-2023 Heard learned counsel for the petitioner and the State.
2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 354B, 504, 506/34 and other allied sections of the Indian Penal Code and section 8 of the POCSO Act.
3. As per the prosecution case, taking advantage of the fact that there was no male guardian in the house, all the FIR named accused persons including this petitioner were keeping bad eyes on the house of the informant and used to throw stones on the house. On protest, accused persons assaulted the informant and her two daughters and also threatened her of dire consequences.
4. Allegation of throwing stones and assault is general and omnibus against all the accused persons and no specific overt act has been alleged against the petitioner. Specific allegation of assault to informant's son is against co-accused Wasim Khan. Present case is counter blast of Sahodara Police Station Case No. 92 of 2022 lodged by the mother of the petitioner against the informant and six other accused persons. Petitioner claims clean antecedent.



5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VII cum Special Judge, POCSO, Bettiah, West Champaran in Sahodara Police Station Case No. 90 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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