

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61642 of 2023

Arising Out of PS. Case No.-80 Year-2023 Thana- TARIYANI CHOWK District- Sheohar

1. Kailash Sah Son Of Late Ramavtar Sah Resident Of Village - Pojhiya @ Ponjhiya, P.S. - Tariyani, District - Sheohar
2. Lal Saheb Kumar Son Of Kailash Sah Resident Of Village - Pojhiya @ Ponjhiya, P.S. - Tariyani, District - Sheohar
3. Deepak Sah @ Deepak Kumar Son Of Kailash Sah Resident Of Village - Pojhiya @ Ponjhiya, P.S. - Tariyani, District - Sheohar
4. Arvind Sah Son Of Jaga Sah Resident Of Village - Pojhiya @ Ponjhiya, P.S. - Tariyani, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for the informant.

2. The petitioners apprehend their arrest in Tariyani P.S. Case No. 80 of 2023 registered for the offences punishable under Section 306/34 of the Indian Penal Code pending in the Court of learned Cheif Judicial Magistrate, Sheohar.

3. As per the prosecution case, the informant alleged that while going to school petitioner no. 2 along with his friend petitioner no. 4 used to molest his daughter



(deceased) on the way and few days back pulled her dupatta and also made a video and was threatening to make viral that videos on social media. When the informant went to the house of petitioners no. 1 and 3 to explain about this act, they abused the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that on 01.04.2023 after getting information about his daughter, informant went to the house of the petitioner no. 1 to explain the occurrence but he has not given any application to the concerned Police Station and further on 04.04.2023, when informant's daughter died, thereafter, petitioners have been falsely implicated in this case. The petitioners have no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the petitioners are also involved in the present case. Hence, they does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case



and the nature of the offence, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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