

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66042 of 2023

Arising Out of PS. Case No.-342 Year-2022 Thana- ROH District- Nawada

1. Shailendra Prasad @ Shailendra Mahto Son Of Baleshwar Mahto Resident Of Village -RUSTAMPUR, Ps- Roh, Distt- Nawada
2. Upendra Prasad Son Of Baleshwar Mahto Resident Of Village -RUSTAMPUR, Ps- Roh, Distt- Nawada
3. Dharmendra Prasad @ Dharmendra Mahto Son Of Baleshwar Mahto Resident Of Village -RUSTAMPUR, Ps- Roh, Distt- Nawada
4. Yogendra Kumar Son Of Upendra Prasad Resident Of Village -RUSTAMPUR, Ps- Roh, Distt- Nawada
5. Vikram Kumar Son Of Dharmendra Prasad@ Dharmendra Mahto Resident Of Village -RUSTAMPUR, Ps- Roh, Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-10-2023 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 504, 506, 354, 376, 34 of the Indian Penal Code and Section 3 / 4 of the POCSO Act.

3. As per F.I.R. itself, specific accusation of sexual assault is against co-accused Gautam Kumar. So far as these petitioners are concerned, they are only alleged to have abused and assaulted the informant and her family members.



4. It is submitted on behalf of petitioners that both parties are *agnates* and on 22.10.2022, due to dispute over parking of bicycle, a simple scuffle took place between both the parties. Taking advantage of the situation, this false case has been lodged. There is case and counter case. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the fact that specific accusation of sexual assault is against co-accused Gautam Kumar and petitioners have got clean antecedent, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J. VI-cum-Special Judge (POCSO Act), Nawada in connection with Roh P.S. Case No. 342 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

