

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69911 of 2022

Arising Out of PS. Case No.-252 Year-2022 Thana- BAIRIYA District- West Champaran

1. SURESH NAT Son of Late Shankar Nat R/v- Bagahi Ratanpur Nat Tola, P.S.- Bairiya, Dist- West Champaran
2. VIRESH NAT @ BIJESH NAT @ BRIJESH NAT Son of Late Shankar Nat R/v- Bagahi Ratanpur Nat Tola, P.S.- Bairiya, Dist- West Champaran
3. SUBASH NAT @ SUBAS NAT Son of Late Mankar Nat R/v- Bagahi Ratanpur Nat Tola, P.S.- Bairiya, Dist- West Champaran
4. DHARM NAT @ DHARAM NAT @ DHARAM SAH @ DHARAM KUMAR Son of Late Mohan Nat R/v- Bagahi Ratanpur Nat Tola, P.S.- Bairiya, Dist- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-01-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in connection with Bairiya P.S. Case No.252 of 2022, registered for the offence punishable u/s 341/323/376/448/504/506/34 of the IPC read with sections 4/6 of POCSO Act.

Allegedly, one Bira Nat and two unknown persons covering their face entered into the house of informant and Bira Nat committed rape upon the daughter of informant. Thereafter, the informant, his wife and son went to the house of Bira Nat,



where the petitioners started to abuse and assault them by means of lathi.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Bira Nat. Petitioners have no criminal antecedent.

Learned counsel for the State opposed the prayer for bail by submitting that petitioners are also involved in the present case and the victim is a minor of 10 years.

Considering the age of the victim, I am not inclined to grant the privilege of anticipatory bail to the petitioners named above. The prayer for bail on their behalf is rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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